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CRIMINAL REPORT,
1881.

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REPORT

ON THE

ADMINISTRATION OF CRIMINAL JUSTICE

IN THE

PUNJAB AND ITS DEPENDENCIES

DURING THE YEAR

1881

Published by Authority.

LAHORE:

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1882.

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Review of His Honor the Lieutenant Governor of the Punjab.

No 1798.

FROM

G W RIVAZ, ESQUIRE,

Registrar, Chief Court, Punjab,

To

W. M. YOUNG, ESQUIRE,

Secretary to Government, Punjab.

Lahore, the 7th June 1882.

SIR,

I am desired by the Judges of the Chief Court to submit the accompanying Report on the Administration of Criminal Justice in the Punjab during the year 1881.

Form of statements.

2. The statements appended to this report are in the form approved by your No. 2904, dated 6th September 1880, and a separate set of statements has been prepared for publication with the Administration Report in the form required by the Resolution of the Government of India, in the Home Department, No $\frac{P}{91\text{-}102}$, dated 27th January 1880.

Steps taken to secure correct preparation of the statements.

3. Instructions regarding the preparation of these statements, with the headings of the revised forms, were issued to the Subordinate Courts in October 1880, in order that there might be ample time for the new system to be mastered before it came into force, and for reference to be made in the event of further instructions being required. Notwithstanding these precautions, many of the returns were found to have been very incorrectly prepared, and had to be returned, sometimes more than once, with the result that the submission of this report has been considerably delayed.

Arrangement of report.

4. The plan of the present report has been slightly altered to suit the arrangement of the revised returns. The Court's remarks will on the present occasion be found under the following heads :—

Part I.—Original Jurisdiction.

- A. General review of offences committed and brought to trial.
- B. Offences classified.
- C. Miscellaneous proceedings under the Criminal Procedure Code.
- D. General results of cases in Magistrates' Courts.
- E. Distribution of criminal business.
- F. Special jurisdiction of Magistrates.
- G. Original jurisdiction of Courts of Session.
- H. Witnesses.

„ II.—Punishments.

„ III.—Appellate jurisdiction of Courts subordinate to the Chief Court.

- A. District Courts.
- B. Courts of Session.

„ IV.—Criminal business of the Chief Court.

„ V.—Superintendence.

PART I.—ORIGINAL JURISDICTION.

A.—General Review of Offences committed and brought to trial.

Reported offences.

5. The total number of offences of which information was given, complaint made or cognizance taken during the year 1881 was 114,769. These figures are not, however, directly comparable with the statistics of previous years, as, on the one hand, they include complaints rejected under Section 147 of the Criminal Procedure Code, which have in former years been treated as miscellaneous cases and excluded, and, on the other hand, exclude certain miscellaneous proceedings under the Criminal Procedure Code, which in the present returns are kept distinct from substantive offences punishable under the Indian Penal Code and the other penal laws in force in the Province.

Results of the year compared with those of the four preceding years.

6. In the annexed table, which gives a detail of offences reported and admitted to have occurred, and of cases and persons brought to trial, during the past five years, complaints dismissed under Section 147 of the Criminal Procedure Code are excluded, as also the miscellaneous proceedings under the Criminal Procedure Code referred to above.

1	2	3	4	5	6	7
Nature of offences.	Year.	Offences reported.	Offences struck off the register on the application of the police.	Offences admitted to have occurred.	Cases brought to trial.	Persons brought to trial.
Offences under the Indian Penal Code ...	1877	66,451	1,882	64,569	49,299	99,985
	1878	71,087	1,615	69,472	53,392	103,876
	1879	69,859	1,291	68,568	51,805	101,432
	1880	69,778	987	68,791	54,583	111,485
	1881	68,607	1,031	67,576	53,131	112,073
Offences under Special and Local Laws ...	1877	16,649	21	16,628	16,621	34,886
	1878	18,154	17	18,137	17,836	36,023
	1879	19,018	37	18,981	18,666	39,468
	1880	20,188	21	20,167	19,618	42,263
	1881	20,319	18	20,301	20,056	43,560
Total	1877	83,100	1,903	81,197	65,920	134,871
	1878	89,241	1,632	87,609	71,228	139,899
	1879	88,877	1,328	87,549	70,471	140,900
	1880	89,966	1,008	88,958	74,201	153,748
	1881	88,926	1,049	87,877	73,187	155,633

The statement shows that there has been a decrease of 1·8 per cent. in offences under the Indian Penal Code, a slight increase in offences under special and local laws, and a decrease of 1·2 per cent. in crime generally.

Cases struck off the register on the application of the police.

7. The number of cases struck off the register on the application of the police was 1,049, as compared with 1,008 in the previous year. These figures require no comment; they indicate that care continues to be exercised in the matter.

Complaints rejected under Section 147, Criminal Procedure Code.

8. For purposes of comparison, the number of complaints rejected under Section 147 of the Criminal Procedure Code have, as already remarked, been excluded from the table annexed to paragraph 6. Such complaints numbered 25,843, the numbers for the different districts varying from none in the Hazára District to 2,462 in the Siálkot District, and the proportion borne by these complaints to the total number of offences reported from *nil* in Hazára to 44 per cent. in the Jhang District. The Judges will have occasion to remark further on these variations in a later section of this report.

9. Rejected complaints, and cases struck off on the application of the police, thus account for 26,892 of the total number of offences reported, and leave a balance of 87,877 cases returned as true, against 88,958 cases in 1880. The variations in particular classes of cases which have brought about this result will be noticed hereafter. For the present, it will be sufficient to note that out of 17 districts which show an increase of criminal offences, the increase exceeds 15 per cent. in 6 only, as shown below :—

Cases returned as true.

Montgomery	...	33 per cent.	Jullundur	...	22 per cent.
Gujrat	...	25 „	Kángra	...	18 „
Karnál	...	22 „	Hissar	...	16 „

10. The increase in the Montgomery District appears to be chiefly nominal, being attributed, first, to offences having been more freely reported than in the previous year, and secondly, to cases referred to the police by Magistrates having been included in the returns for 1881 for the first time. The increase in the Kángra and Gujrat Districts is to some extent due to an increase in offences against property. The increases in the other districts named chiefly occur in cases of assault, offences relating to marriage, and prosecutions for nuisance under the Police and Cantonment Acts.

Particulars of increase in certain districts.

11. Fifteen districts show a decrease in crime, the decrease being most marked in the following :—

Decrease in crime localized.

Simla	...	...	...	24 per cent.
Ferozepore	...	...	...	23 „
Gurdáspur	...	...	...	20 „

In the Gurdáspur District there has been a diminution of theft cases. In the Ferozepore District the decrease is mainly due to a falling off in assault cases and prosecutions under the Police Act, and in Simla to fewer prosecutions under the Police Act.

12. The ratio of cases brought to trial to cases admitted to have occurred was 83 per cent., as in the previous year. It is noticeable that, though the number of cases brought to trial fell from 74,201 to 73,187, there was an increase of 1,885 in the number of persons proceeded against.

Cases and persons brought to trial.

B.—Offences classified.

13. Statement No. 2 in the appendix gives the details of the general results which have been noticed in the preceding paragraphs, and shows the number of persons tried, convicted and acquitted of each class of offence during the year 1881. The arrangement of this statement is somewhat different from that of previous years. In the first place, the old division of offences under the Indian Penal Code into non-bailable and bailable has not been preserved, but, instead, these offences have been arranged in groups according to the system adopted by the Calcutta High Court. In the second place, columns 8 to 10 of the statement are now intended to show, though it is to be feared that the returns are not perfectly accurate in this respect, the final results of trials, whereas hitherto it has been the practice merely to show the results of magisterial enquiries and trials, and not to follow up the history of cases committed to Courts of Session or the Chief Court.

Changes in Statement No. 2.

14. In the following table the more condensed classification prescribed by the Government of India for the Administration Report has been followed, the figures of the previous year being added for purposes of comparison. It will be observed that in the second and third columns cases returned as true have been entered, instead of reported offences. This change has been made in order to avoid the difficulty which would otherwise arise from complaints rejected under Section 147 of the Criminal Procedure Code being included in the returns of the

Statistics of the two past years compared.

later year and not in those of the former. It must also be remembered that in the last four columns the results in Magistrates' Courts during 1880 are being compared with final results in 1881.

Description of offence.	Number of offences admitted to have occurred during the year		Percentage of increase or decrease.	Persons brought to trial during the year		Persons convicted and committed during 1880 and convicted during 1881.		Percentage of persons convicted and committed to those brought to trial.	
	1880.	1881.		1880.	1881.	1880.	1881.	1880.	1881
Chapter V.—Concealing design to commit offences	3	...	...	4	...	2	...	50	...
„ VI.—Offences against the State ...	...	3	...	...	5	...	4	...	80
„ VII.—Offences relating to the Army and Navy	1	2	+ 100	...	2	...	1	...	50
„ VIII.—Offences against the public tranquillity	597	725	+ 21	4,854	6,367	3,445	4,179	71	65
„ IX.—Offences by or relating to public servants...	199	223	+ 12	277	309	77	106	28	34
„ X.—Contempts of the lawful authority of public servants ...	1,097	1,196	+ 9	2,171	2,244	1,194	1,292	55	58
„ XI.—False evidence and offences against public justice ...	923	999	+ 8	1,579	1,612	840	835	53	52
„ XII.—Offences relating to coin and Government stamps ...	228	181	— 21	248	221	143	140	57	63
„ XIII.—Offences relating to weights and measures	78	66	— 15	147	89	110	56	75	63
„ XIV.—Offences affecting the public health, safety, convenience, decency, and morals ...	463	559	+ 21	1,295	1,998	957	1,536	74	77
„ XV.—Offences relating to religion ...	102	113	+ 11	261	313	46	52	17	17
„ XVI.—Offences affecting the human body—									
1.—Offences affecting life ...	790	763	— 3	1,255	1,231	808	522	64	42
2.—Causing of miscarriage, injuries to unborn children, exposure of infants, and the concealment of births ...	72	80	+ 11	98	108	51	54	52	50
3.—Hurt	3,903	3,972	+ 2	7,740	8,290	3,191	3,696	41	44
4.—Wrongful restraint and wrongful confinement	617	631	+ 2	1,512	1,294	207	250	13	19
5.—Criminal force and assault ...	20,617	21,368	+ 4	47,238	46,052	6,542	6,653	14	14
6.—Kidnapping, forcible abduction, slavery, and forced labor ...	207	219	+ 6	364	402	144	147	39	36
7.—Rape	113	133	+ 17	126	145	52	54	41	37
8.—Unnatural offences	60	74	+ 23	57	88	38	47	66	53
„ XVII.—Offences against property—									
1.—Theft	12,863	11,709	— 9	12,538	11,029	9,396	7,751	75	70
2.—Extortion	211	185	— 12	432	417	72	77	16	17
3.—Robbery and dacoity ...	377	316	— 15	406	443	210	182	51	41
4.—Criminal misappropriation of property	432	416	— 4	666	680	341	328	51	47
5.—Criminal breach of trust ...	667	635	— 5	818	805	360	336	44	42
6.—Receiving of stolen property...	2,978	2,874	— 3	4,302	4,219	2,687	2,673	62	63
7.—Cheating	1,593	761	— 52	1,511	1,225	427	284	28	23
8.—Fraudulent deeds and disposition of property	27	46	+ 70	46	91	11	16	24	17
9.—Mischief	2,280	2,389	+ 5	5,187	5,272	1,570	1,535	30	29
10.—Criminal trespass	11,995	11,582	— 3	8,773	8,928	4,357	3,954	49	44
„ XVIII.—Offences relating to documents, and to trade or property marks	130	112	— 14	208	188	41	40	19	21
„ XIX.—Criminal breach of contracts of service	119	51	— 57	253	163	117	69	46	42
„ XX.—Offences relating to marriage...	4,220	4,289	+ 2	5,939	6,232	780	810	13	13
„ XXI.—Defamation	216	247	+ 14	460	456	59	90	13	20
„ XXII.—Criminal intimidation, insult and annoyance	629	657	+ 4	1,061	1,125	219	239	21	21
Offences under Special and Local Laws ...	20,166	20,301	+ 1	42,261	43,560	32,652	32,191	77	74
TOTAL ...	88,958	87,877	— 1	154,087	155,639	71,146	70,194	46	45

15. The first point in the table which calls for remark is the increase of 21 per cent. in offences against the public tranquillity. The increase occurred principally in the Mooltan and Peshâwar Districts. The riots which took place last September in the city of Mooltan were fully reported on at the time by the local authorities and need not be further noticed here. The increase in the Peshâwar District is attributed to failure of rain, which led to quarrels about distribution of water.

Offences against the public tranquillity.

Out of 6,367 persons brought to trial for offences of this description, 65 per cent. were convicted, as compared with 71 per cent. in the previous year.

16. The increase of offences under Chapter X of the Indian Penal Code is also partly attributable to the Mooltan disturbances. After the outbreak, certain orders were promulgated with the object of lulling the general excitement, and disregard of these orders led to prosecutions under Section 188 of the Code.

Contempts of the lawful authority of public servants.

17. Offences relating to coin and stamps show a decrease of 21 per cent., and offences relating to weights and measures a decrease of 15 per cent. In the former class of cases the percentage of convictions rose from 57 to 63; in the latter it declined from 75 to 63.

Offences under Chapters XII and XIII, Indian Penal Code.

18. Offences affecting human life fell from 790 in 1880 to 763 in the year under report.

Offences affecting human life.

19. Of the above, 325 appear as cases of murder, as compared with 363 cases in the previous year. The Frontier and Rawalpindi Divisions are, as usual, those which show the heaviest calendars. The return of true cases in these divisions for the last five years is compared below:—

Murder.

DISTRICTS.	1877.	1878.	1879.	1880.	1881.
Peshâwar	66	53	55	64	54
Hazâra	17	16	32	21	11
Kohât	25	30	47	39	28
Total ...	108	99	134	124	93
Dera Ismail Khan	4	11	15	15	9
Dera Ghâzi Khan	14	11	14	21	19
Bannu	11	13	17	25	17
Total ...	29	35	46	61	45
Rawalpindi	23	32	20	21	24
Jhelum	9	20	19	11	19
Gujrat	3	6	4	9	10
Shahpur	3	7	12	6	7
Total ...	38	65	55	47	60

In the Peshâwar Division, it will be seen, the results of 1881 were more favorable than in any of the four previous years. In the Derajat and Rawalpindi Divisions the numbers are above the average of the four preceding years.

20. During the year, 679 persons were brought up on charges of murder. Of these, 10 persons died during the course of the proceedings, 153 persons were disposed of by Councils of Elders, with the result that 28

Results of trials for murder.

persons were acquitted and 125 were convicted, and 516 persons were dealt with by the ordinary tribunals in the manner shown in the following table :—

Division.	*Persons disposed of.*	
	Discharged or acquitted.	Convicted.
Delhi	19	9
Hissar	15	20
Umballa	8	9
Jullundur	11	9
Amritsar	20	14
Lahore	10	17
Rawalpindi	83	36
Mooltan	9	8
Derajat	42	18
Peshâwar	121	38
Total ...	338	178

The figures in the table give the final results of the cases, after the disposal of the reference to the Chief Court in cases in which sentence of death was passed. The percentage of convictions was lowest in the two Frontier and the Rawalpindi Divisions. The accuracy of the Rawalpindi figures, however, is open to question. The Commissioner has been addressed on the subject.

Attempt to commit murder.

21. Attempts to commit murder numbered 69 in the year under report and 64 in the previous year. Ninety-five persons were brought to trial for this offence before the regular tribunals, of whom only 25 were convicted.

Culpable homicide not amounting to murder and causing death by negligence.

22. Culpable homicides not amounting to murder fell from 143 to 114, the fall being most conspicuous in the Hissar and Rawalpindi Divisions. Out of 225 persons brought to trial, 64 per cent. were convicted. Eighty-six persons were proceeded against under Section 304 A, as against 38 in the previous year, and 49 were convicted.

Attempt to commit suicide.

23. One hundred and seventy-seven persons were tried for attempting to commit suicide, of whom 121 were convicted.

Causing hurt.

24. Serious cases of hurt numbered 695 during 1881, as compared with 676 cases in the previous year, while minor cases of hurt are returned as 3,277 as against 3,227 in 1880. Under the former head, 703 persons were convicted out of 1,081 persons tried; in the latter class of cases 7,111 persons were tried, of whom 42 per cent. were convicted.

Criminal force and assault.

25. It has been remarked above that the power given by Section 147 of the Criminal Procedure Code to dismiss summarily complaints which afford no sufficient ground for proceeding was exercised very differently in different districts. A good illustration of this will be found in the annexed statement, which shows the number of complaints of criminal force and assault preferred in each district

of the Province, the number of these which were rejected without issuing process, and adds certain details as to the results of the cases in which process issued.

DISTRICT.	Total number of complaints.	Number rejected under Section 147, Criminal Procedure Code.	Total number of persons disposed of.	Percentage of persons		
				Discharged in consequence of the non-appearance of the complainant or the withdrawal of the complaint.	Acquitted or discharged on other grounds.	Convicted.
Delhi	632	226	1,157	61	24	15
Gurgaon	413	119	709	59	27	14
Karnál	198	14	347	47	34	19
Hissar	378	125	699	48	28	24
Rohtak	866	164	429	34	31	35
Sirsa	268	166	322	43	34	23
Umballa	1,366	805	1,355	60	20	20
Ludhiána	1,567	490	2,220	70	20	10
Simla	124	19	208	34	40	26
Jullundur	1,460	654	2,231	72	17	11
Hoshiárpur	1,948	524	3,697	78	15	7
Kángra	1,107	337	1,419	49	28	23
Amritsar	2,353	640	3,754	65	23	12
Gurdáspur	2,642	666	4,923	76	17	7
Siálkot	3,161	884	2,193	49	30	21
Lahore	1,655	475	2,954	67	23	10
Gujránwála	1,218	48	1,110	57	31	12
Ferozepore	455	77	642	43	32	25
Rawalpindi	2,079	262	4,361	48	37	15
Jhelum	1,294	527	1,786	61	21	18
Gujrat	1,063	174	2,200	73	19	8
Shahpur	462	142	841	61	24	15
Mooltan	561	54	809	39	24	37
Jhang	281	157	261	34	42	24
Montgomery	238	26	465	66	16	18
Muzaffargarh	352	193	327	73	14	13
Dera Ismail Khan	288	123	423	45	24	31
Dera Gházi Khan	331	11	659	47	30	23
Bannu	292	12	775	55	23	22
Peshávar	483	116	829	46	29	25
Hazára	489	...	1,046	68	16	16
Kohát	114	16	212	51	25	24
TOTAL 1881	29,633	8,246	45,363	61·8	23·6	14·6
TOTAL 1880	20,619	...	46,525	59·1	26·8	14·1

It will be seen that, whereas in the Umballa District, out of 1,366 complaints, 805, or 59 per cent., were dismissed summarily, in the Hazára District process was issued in every case, and in the Gujránwála, Dera Gházi Khan, and Bannu Districts only about 4 per cent. of the cases were disposed of under Section 147. The results shown in the remaining columns of the statement do not materially differ from those of the previous year. In 1880 the percentage of convictions was lowest in Gujránwála, where it was 7. This figure represents the percentage of the Hoshiárpur and Gurdáspur Districts in the year under report, and the percentage of the Gujrat District is only a unit higher. On the present occasion, Mooltan, Rohtak and Dera Ismail Khan show the highest percentages. The Kohát percentage has fallen from 64 to 24.

Offences against property.

26. Offences against property, taken as a whole, show a satisfactory decrease of 7 per cent., the numbers for the two years being 33,407 and 30,913 respectively.

27. The most important offences of this class fall under four principal heads. The variations under these heads during the past five years are exhibited in the subjoined table :—

Variations under principal heads.

	1877.		1878.		1879.		1880.		1881.	
	Offences returned as true.	Cases brought to trial.	Offences returned as true.	Cases brought to trial.	Offences returned as true.	Cases brought to trial.	Offences returned as true.	Cases brought to trial.	Offences returned as true.	Cases brought to trial.
Theft and receipt of stolen property ...	15,422	10,634	19,336	14,253	18,210	13,074	15,831	11,337	14,583	9,960
Criminal trespass ...	13,386	4,506	15,421	5,596	14,931	5,558	11,995	4,901	11,582	4,786
Robbery and dacoity ...	309	168	351	205	422	218	371	154	316	168
Total ...	29,117	15,308	35,108	20,054	33,563	18,850	28,197	16,392	26,481	14,914

The years 1878 and 1879 were exceptional years in which there were peculiar temptations to commit offences against property. The figures of the last two years, however, compare favorably with those of 1877 also, which was not of an exceptional character. As regards cases brought to trial, under the first head the percentage is not quite so favorable as in the previous years. In cases of criminal trespass, the percentages of 1880 and 1881 are about the same, and are higher than those of the three preceding years. In cases of robbery and dacoity, the percentage (53) is rather higher than in the two preceding years, but not so high as in 1877 and 1878.

28. It has been shown above that cases of theft and receiving stolen property numbered 14,583 in 1881, as compared with 15,831 in 1880, and that there were also fewer cases of criminal trespass, robbery and dacoity in the latter than in the former year. The districts which have contributed to these results will appear from the following statement :—

Variations in each district.

DISTRICT.	*Theft and receipt of stolen property.*				*Criminal trespass.*				*Robbery and dacoity.*			
	Cases returned as true.		Cases brought to trial.		Cases returned as true.		Cases brought to trial.		Cases returned as true.		Cases brought to trial.	
	1880.	1881.	1880.	1881.	1880.	1881.	1880.	1881.	1880.	1881.	1880.	1881.
Delhi ...	525	436	381	311	397	413	159	149	8	8	6	5
Gurgaon ...	522	386	359	274	204	233	86	83	22	13	7	8
Karnál ...	305	287	227	198	227	176	74	60	9	5	5	3
Hissar ...	279	318	217	246	116	139	67	76	12	8	6	8
Rohtak ...	284	234	216	179	250	246	85	95	10	15	3	9
Sirsa ...	348	341	185	205	100	110	48	54	3	8	2	6
Umballa ...	574	521	453	406	508	571	139	156	4	3	1	2
Ludhiána ...	367	266	318	224	450	455	263	270	12	8	12	8
Simla ...	171	146	135	146	47	15	28	15	...	2	...	2
Jullundur ...	324	256	226	199	709	783	221	202	1	...	1	...
Hoshiárpur ...	284	253	232	226	699	600	326	308	4	8	3	8
Kángra ...	288	302	237	322	178	176	117	149	1	1	1	1
Amritsar ...	717	545	493	383	644	650	296	315	12	7	9	5
Gurdáspur ...	447	347	346	219	798	590	283	321	21	5	6	4
Siálkot ...	687	593	524	386	623	562	252	163	2	4	1	2
Lahore ...	1,312	1,248	895	752	510	721	265	243	17	17	6	12
Gujránwála ...	554	503	432	312	265	262	125	99	10	8	9	2
Ferozepore ...	487	541	490	440	225	222	226	226	4	6	4	6
Rawalpindi ..	698	693	575	513	555	749	223	275	12	6	8	4
Jhelum ...	723	531	436	378	587	617	168	208	...	7	...	7
Gujrat ...	357	427	318	351	312	334	133	117	6	2	6	2
Shahpur ...	525	406	356	310	*268	223	90	90	2	3	1	4
Mooltan ...	807	770	504	476	461	364	236	151	3	4	3	3
Jhang ...	624	471	961	328	221	146	100	94	6	5	4	4
Montgomery ...	688	1,011	446	401	185	165	95	92	4	15	2	3
Muzaffargarh ...	485	375	261	304	408	236	117	119	8	...	2	1
Dera Ismail Khan ...	329	256	222	182	270	163	132	95	14	5	4	1
Dera Gházi Khan ...	470	441	317	327	248	251	123	132	6	9	3	6
Bannu ...	426	480	228	215	372	452	104	115	16	11	3	2
Peshawar ...	621	481	491	387	621	568	170	153	38	43	11	13
Hazára ...	322	285	165	219	263	164	77	86	32	12	11	15
Kohát ...	305	343	191	175	270	226	80	75	73	68	14	22

It will be seen that, in cases of theft and receiving stolen property, the decrease, while it is most marked in Gurgaon, Amritsar, Jhang and Peshâwar, extends to all except the seven districts noted in the margin, and that in the Kângra and Montgomery Districts only are the figures for 1881 materially higher. The increase in Kângra is apparently real; that in Montgomery is said to be chiefly due to the nominal causes noted in paragraph 10.

Hissar, Kângra, Ferozepore, Gujrat, Montgomery, Bannu and Kohât.

The districts which show a marked decrease in cases of criminal trespass are Hoshiârpur, Gurdâspur, Mooltan, Muzaffargarh, Dera Ismail Khan and Hazâra. In the Hoshiârpur, Mooltan and Hazâra Districts the falling off is chiefly in serious cases. In the other three districts the decrease is confined to cases of simple trespass; the Gurdâspur return especially shows a considerable increase in serious cases of house-trespass and burglary. Five districts show large increases under this head, *viz.*, Umballa, Jullundur, Lahore, Rawalpindi and Bannu. The increase in Umballa and Jullundur is mainly in petty cases. The increase in Lahore is in serious cases, but the increase did not appear in the returns as originally submitted, and the circumstance has accordingly escaped notice in the local reports. The Rawalpindi return shows a very large increase of serious cases which, the Deputy Commissioner thinks, is due, partly to a large number of labourers and others having been discharged on the termination of the Afghan war, and partly to want of leisure on the part of the District Officers during the two previous years to operate against bad characters. From the statistics in this office, however, it does not appear that prosecutions for bad livelihood were fewer in 1879 and 1880 than in preceding years. The Rawalpindi District has never been conspicuous for extensive operations in this direction. Major Lang notes in his present report that during the past marching season he has visited most parts of his district and has paid special attention to the subject of taking security from bad characters. It will be interesting to observe what effect these measures will produce on the statistics of crime for 1882. In Bannu the increase is also principally in serious offences. It attracted the notice of the Deputy Commissioner towards the close of the year, and Mr. Udny's report shows that he is dealing vigorously with the matter.

Under the head of robbery and decoity, Kohât shows 68 cases and 22 trials, and then comes Peshâwar with 43 cases and 13 trials. The principal decreases, however, are in Gurgaon, Gurdâspur and Hazâra, being specially marked in the last two districts.

Cheating.

29. The decrease under the head of cheating is merely as compared with the previous year, which showed an increase of more than 800 cases owing to the extraordinary success of an impostor in the Rawalpindi District. The circumstance was referred to in the Criminal Report for 1880.

Criminal breach of contract service.

30. Prosecutions under Chapter XIX of the Indian Penal Code fell from 119 to 51, the decrease being most marked in the Ferozepore, Jhelum and Kohât Districts. Out of 163 persons who were tried, 42 per cent. were convicted. In the previous year the percentage of convictions was 46.

Other heads under the Indian Penal Code.

31. The remaining heads under the Indian Penal Code do not call for special remark.

Increases under Local and Special Laws.

32 The Local and Special Laws which show a marked increase of offences are:—

	Cases returned as true.		*Persons convicted.*	
	1880	1881	1880	1881
Arms Act	200	282	201	277
Military Cantonments Act ...	2,907	3,881	4,250	5,686
Chaukidârs Act	9	76	9	123
Cattle Trespass Act	1,002	1,157	605	730
Canal Act	577	650	1,130	1,013
Act XIII of 1859 for the punishment of breaches of contract by workmen.	450	540	169	64
Hackney and Stage Carriages Act	17	70	19	96

Arms Act.

33. The increase in prosecutions under the Arms Act was chiefly in the Hoshiârpur District, where the number rose from 3 to 71. The circumstance has not been noticed in the local reports.

34. Prosecutions under the Cantonments Act rose in the Ferozepore Cantonment from 450 to 1,193, and in Jullundur from 195 to 315. The Ferozepore cases are said to consist almost entirely of the pettiest cases in which the offenders were fined an anna or two for neglect of sanitary rules. The Commissioner of Lahore thinks there may have been perhaps an excess of zeal on the part of the authorities. He has been asked to take the occasion of his next visit to Ferozepore to enquire into the matter. The increase at Jullundur is attributed by the Deputy Commissioner to increased activity on the part of the Sanitary Officers during the cholera epidemic.

Cantonments Act.

35. The increase of cases under the Chaukidárs Act is also chiefly due to a more vigorous enforcement of the Act in the Ferozepore and Kohát Cantonments.

Chaukidárs Act.

36. Under the Cattle Trespass Act, 1,498 complaints were brought during the year under report, and of these 1,157 were accepted as affording *primâ facie* grounds for enquiry. Eleven hundred and twenty-one cases, affecting 3,342 persons, were disposed of during the year; of the persons, 1,785, or 53 per cent, were discharged in consequence of the prosecution not being proceeded with; 825, or 25 per cent., were acquitted; and 730 persons, or 22 per cent, were convicted. These cases were, as usual, most numerous in the Gurdáspur, Rawalpindi and Hoshiárpur Districts.

Cattle Trespass Act.

37. The increase in offences under the Canal Act manifests itself principally in the Mooltan and Muzaffargarh Districts, where two additional Canal Officers were invested with magisterial powers during the year. It will be observed that the prosecutions under this Act were less successful than in the previous year. The falling off in this respect is especially noticeable in the Amritsar return which on the present occasion shows 193 persons prosecuted and 112 convicted, whereas in 1880 out of 205 persons prosecuted all but 49 were convicted. In the Dera Gházi Khan District, which, as usual, shows the largest number of prosecutions, 438 persons were proceeded against and 317 were convicted.

Canal Act,

38. The number of prosecutions for breaches of contract by workmen rose from 85 to 146 in Umballa and from 45 to 113 in Ferozepore. In the former district all the cases were connected with the new Sirhind Canal works. No information is given regarding the Ferozepore cases. In this class of offences also, it will be observed, there is a striking falling off in the number of convictions. Out of 1,901 persons who were tried under this Act, only 64 were convicted, no less than 1,253 being discharged in consequence of the abandonment of the prosecution. In the Karnál District 36, and in the Sirsa District 50, persons were summoned, and in every case the prosecution was abandoned. In Umballa one person was convicted out of 489 proceeded against. In Amritsar, where the number of cases fell from 272 to 192, in consequence, it is said, of a return of slackness in the shawl trade, 209 persons were tried and 6 convicted. Even in Ferozepore, where the prosecutions were most successful, only 34 persons were convicted out of 961 persons who were tried.

Act XIII of 1859.

39. The increase under the last head given in the table is merely due to the extension of the Hackney Carriage Act of 1879 to certain municipalities and cantonments.

Hackney and Stage Carriages Act.

40. The most important decreases in offences punishable under Special and Local Laws were under the following Acts:—

Decreases in Special and Local Laws.

	Cases returned as true.		*Persons convicted.*	
	1880.	1881.	1880.	1881.
Criminal Tribes Act	654	509	682	612
Forests Act	1,122	800	3,189	2,484
Police Act	6,753	5,798	12,358	10,923
Stamp Act	168	135	215	180

41. The working of the Criminal Tribes Act forms the subject of a separate report and need not, therefore, be noticed particularly in this report.

Criminal Tribes Act.

Forests Act.

42. The decrease in prosecutions under the Forests Act is most observable in the Rawalpindi and Hazára Districts, and is attributed, in the former case, to favorable rains, which lessened the temptation for owners of cattle to trespass on reserved forest lands, and in the latter case to the people having learnt from the prosecutions of previous years that forest regulations could not be broken with impunity.

Police Act.

43. The falling off in offences under the Police Act is conspicuous only in the Ferozepore returns. The cause assigned by the Deputy Commissioner is that the Ferozepore City Board of Magistrates is unable to work, owing to the death of one and the blindness of another member and there being no fit persons to take their place, and that there is in consequence no agency now available for the trial of such cases. Why, because the services of two members are no longer available, the remaining members of the Board should also have ceased to discharge their magisterial functions, is, as the Commissioner observes, not apparent, and a report on the subject has been called for.

Stamp Act.

44. The decrease of prosecutions under the Stamp Act is not very marked in any district. As, however, apprehensions are expressed in more than one report that evasions of the Stamp Law are not as rigorously dealt with as they should be, the Judges think it well to draw general attention to the subject.

C.—Miscellaneous Proceedings under the Criminal Procedure Code.

Miscellaneous cases under the Criminal Procedure Code.

45. Proceedings under the Criminal Procedure Code were instituted against 24,123 persons during the year 1881, as compared with 21,923 persons prosecuted in the previous year.

The variations under the different heads are given in the following table:—

Nature of Proceedings,	Year.	Total number of cases disposed of.	Total number of persons disposed of.	Number of persons convicted.
Frivolous or vexatious complaints summarily dealt with under Chapter XVI, Section 209 ...	1880	682	738	738
	1881	639	701	700
Proceedings against witnesses under Chapter XXVI ...	1880	...	...	...
	1881	1	1	1
Forfeiture of bail or recognizance under Chapter XXVIII ...	1880	92	121	100
	1881	160	238	177
Non-attendance of jurors or assessors, Chapter XXIX, Section 414 ...	1880	...	...	...
	1881	1	2	...
Contempts of Court under Chapter XXXII ...	1880	169	206	201
	1881	240	277	262
Proceedings under Chapter XXXVII to prevent breach of the peace ...	1880	2,412	8,866	6,177
	1881	2,681	11,380	7,514
Proceedings under Chapter XXXVIII, Security for good behaviour ...	1880	5,237	7,603	6,263
	1881	5,199	7,680	6,388
Proceedings against local nuisances, Chapter XXXIX ...	1880	31	109	3
	1881	91	199	73
Possession, Chapter XL ...	1880	109	258	37
	1881	109	288	90
Maintenance, Chapter XLI ...	1880	3,590	3,590	581
	1881	3,074	3,074	486

Frivolous complaints.

46. Thirty-eight fewer persons were dealt with under Section 209 of the Code, for bringing frivolous and vexatious complaints, during the year under report than in the preceding year. Compensation was most frequently awarded under this section in the Jhelum, Rawalpindi and Amritsar

Districts, where the number of persons fined was 102, 82 and 51, respectively. In the Hissar, Rohtak, Umballa, Ludhiána, Hoshiárpur, Kángra, Siálkot and Hazára Districts the numbers ranged from 50 to 20; in Delhi, Karnál, Gujrat, Shahpur, Mooltan, Muzaffargarh, Dera Ismail Khan and Bannu the numbers were between 20 and 10; while in the districts noted in the margin the number did not exceed 10, being 3 only in the Jhang and Montgomery Districts. These figures seem to show that in most of the Courts of the Province the useful provisions of this section are either entirely lost sight of, or insufficiently borne in mind. This has been the burden of the Court's remarks on many previous occasions, and the complaint is taken up in most of the local reports now under review. The Court can only, as on former occasions, again ask supervising authorities to pay attention to the point in their inspections of their Subordinate Courts.

Gurgaon, Lahore, Jhang, Montgomery, Dera Ghází Khan and Pesháwar.

47. The Judges regret to find an increase in cases of contempt of Court, 262 persons having been punished against 201 persons in 1880. The Umballa District heads the list with 42 persons, then comes Gujránwála with 36 persons, and then the Gurdáspur and Rawalpindi Districts with 21 and 20 persons respectively. The returns do not show what Courts are responsible for the high figures of these districts. Special enquiries are being made on this point.

Contempt of Court.

48. Proceedings under Chapter XXXVII of the Code show a slight increase of cases and a considerable increase in the number of persons proceeded against. The increase is most marked in the Pesháwar and Kohát Districts, which on the present occasion account for 3,190 out of a total of 7,514 persons from whom security to keep the peace was demanded. In the Bannu District 1,695 persons were bound over to keep the peace, as compared with 1,579 persons in 1880. In the remaining districts of the Province the numbers were 2,629 in the year under report and 2,599 in 1880. Out of the total number of persons from whom security was demanded, only 324, or 4·3 per cent., were imprisoned in default, and of these only 33 persons remained in prison for more than a month. These figures compare favorably with those of the preceding year, when 10 per cent. of the persons from whom security was demanded were imprisoned in default, and 110 persons remained in prison for more than a month. The average amount of security demanded from each person stands at Rs. 159 for the Province, as compared with Rs 120 in 1880 and Rs. 105 in 1879. The following are the districts in which the average is highest:—

Proceedings to prevent breach of the peace.

	Rs.
Jhang	750
Hoshiárpur	584
Pesháwar	375
Simla	314
Kohát	236
Ludhiána	214

In the Jhang District only 4 persons were bound over in their own recognizances, and there may have been special reasons for demanding exceptionally heavy security from these persons. No such reasons, however, have been stated, and *primâ facie* the amount demanded seems unnecessarily high. In Simla, the number of persons placed on security was small, and only one was imprisoned in default. In Hoshiárpur 32 persons were required to enter into their own recognizances, and 72 to furnish sureties; no one was imprisoned in default in spite of the very heavy sums required. In the Ludhiána District 90 persons were required to furnish security, and of these 9 were imprisoned in default, 4 of whom remained in prison for more than a month. The Deputy Commissioner has been asked to enquire whether any of these persons are still in jail, and, if so, to consider whether there are not grounds for his interference under the powers conferred on him by Section 500 of the Code. In the Pesháwar and Kohát Districts, also, it is a matter for the consideration of the local authorities whether lower rates of security would not have afforded a sufficient guarantee for peaceable behaviour. The sums demanded in these districts are high even as compared with other Frontier Districts, and especially high as compared with Bannu, where the average amount of security was Rs. 93 only. In the Bannu District only 2½ per cent. of the persons called on to furnish security were imprisoned in default. In Pesháwar and Kohát the percentages were 8 and 6, respectively.

49. Security for good behaviour was demanded from 6,388 persons during 1881, as compared with 6,263 in the previous year. Further particulars as to the mode in which Chapter XXXVIII of the Code was administered in each district of the Province are given in the subjoined statement, to which the totals of the previous year have been added for purposes of comparison :—

Security for good behaviour.

DISTRICT.		Number of persons from whom security for good behaviour was demanded.	Percentage of persons imprisoned in default.	Percentage of persons imprisoned in default for more than a month	Average amount of security demanded.
Delhi	...	93	80	26	105
Gurgaon	...	10	70	70	100
Karnál	...	158	10	7	116
Hissar	...	14	86	86	86
Rohtak	...	88	24	17	144
Sirsa	...	48	29	12	183
Umballa	...	295	24	20	70
Ludhiána	...	35	77	64	304
Simla	...	10	80	80	270
Jullundur	...	94	55	53	134
Hoshiárpur	...	187	42	29	212
Kángra	...	9	66	66	80
Amritsar	...	120	19	10	120
Gurdáspur	...	64	50	25	136
Siálkot	...	188	42	23	108
Lahore	...	265	12	4	152
Gujránwála	...	969	4	2	106
Ferozepore	...	947	...	...	96
Rawalpindi	...	134	29	21	127
Jhelum	...	302	12	9	124
Gujrat	...	73	29	23	230
Shahpur	...	172	11	5	102
Mooltan	...	93	24	11	200
Jhang	...	248	3	2	335
Montgomery	...	86	2	1	132
Muzaffargarh	...	418	16	12	242
Dera Ismail Khan	...	50	44	28	195
Dera Gházi Khan	...	209	57	25	124
Bannu	...	633	7	3	185
Peshawar	...	362	31	1	312
Hazára	...	12	25	...	150
Kohát	...	62	45	16	342
TOTAL	...	1881 { 6,388	16	9	166
		1880 { 6,263	22	12	145

It will be seen that there is a satisfactory decrease in the provincial percentages of persons imprisoned in default of furnishing security and of long detentions. A sketch of the action which was being taken by the Court to secure an effective supervision of the working of the Magistracy in these cases was given in paragraph 106 of the Court's Criminal Report for 1880. The course of action there described has been followed during the year under report. At the close of the marching season of 1880-81 the proceedings of each Magistrate who exercised jurisdiction in bad livelihood cases were subjected to the criticisms of their district and divisional superiors and the Chief Court, and faults in procedure and judgment were commented on and, when necessary, corrected. The operations of the marching season which has just closed will be subjected to like criticism. Under these circumstances, the Judges will not now remark further on the figures in the present returns.

50. Proceedings for the suppression of nuisances were taken in 91 cases, and 73 persons were ordered to discontinue or remove the nuisance complained of. In no case did the order lead to an application for a jury to be appointed to try whether the Magistrate's order was reasonable and proper.

Local nuisances.

Other proceedings under the Criminal Procedure Code.

51. The remaining heads of the statement do not call for special remark

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D.—General results of cases in Magistrates' Courts.

Persons brought to trial.

52. Proceedings were commenced before Magistrates against 176,795 persons during the year 1881, as compared with 173,823 persons proceeded against in the previous year. The attendance of the accused persons was secured in the year under report in the following manner:—

Under arrest by Police ...	...	71,770, or 41 per cent.
Upon warrant ...	...	12,207, or 7 do.
On summons ...	...	86,605, or 49 do.
Voluntarily ...	...	5,713, or 3 do.
On reference ...	...	437
By transfer ...	...	63

The percentages are not materially different from those of the proceding year.

General results of trial.

53. Including persons under trial at the close of 1880, there were 179,483 persons for disposal during 1881. Of these, 176,975 persons, or 98·6 per cent., were disposed of during the year as under:—

	Persons.	*Percentage.*
Died, escaped, not proceeded against in consequence of insanity	165	
Transferred	89	
Discharged for want of prosecution	42,188	24
Discharged on other grounds	28,907	16
Acquitted	19,580	11
Convicted	84,417	48
Committed or referred	1,629	1

Persons convicted, committed or referred.

54. The provincial percentage of persons who were convicted, committed, or referred for punishment to a higher tribunal, is the same as in the previous year. The percentage of each district is given for the past and the previous year in the following table:—

District.	Percentage of persons convicted, committed or referred.		District.	Percentage of persons convicted, committed or referred.	
	1880.	1881.		1880.	1881.
Delhi	51	46	*Rawalpindi*	48	44
Gurgaon	59	50	Jhelum	70	60
Karnál	66	64	Gujrat	33	34
Hissar	56	59	Shahpur	46	52
Rohtak	58	67	*Multan*	54	55
Sirsa	66	51	Jhang	47	57
Umballa	49	52	Montgomery	58	54
Ludhiána	40	36	Muzaffargarh ...	57	61
Simla	86	86	*Dera Ismail Khan*	67	66
Jullundur	51	45	Dera Ghási Khan ...	65	60
Hoshiárpur	26	22	Bannu	68	66
Káugra	58	58	*Peshawar*	68	63
Amritsar	36	33	Hazára	43	43
Gurdáspur	32	19	Kohát	66	68
Siálkot	30	45			
Lahore	42	45			
Gujránwála	42	52			
Ferozepore	52	53	Total ...	49	49

55. In this table only the general results of the two years are compared. In former years it has been the practice to show separately the results of trials for non-bailable offences under the Indian Penal Code, bailable offences under the Indian Penal Code, and offences punishable under the Criminal Procedure Code and special and local laws. These details can no longer be given in consequence of the changes in statement No. 2 to which allusion has been already made in paragraph 13 of this report. The table at page 4, however, compares the results of trials under the main heads of crime. In the present section, therefore, a comparison of general results seems all that is required.

Change in form of table explained.

56. The table shows that in the year under report the percentage of successful prosecutions was lowest in the Gurdáspur and Hoshiárpur Districts, and that the former of these districts, with Delhi, Gurgaon, Sirsa, Jullundur, Jhelum and Dera Gházi Khan, are those in which the percentages are markedly lower than in the previous year. No clear explanation has been given for the falling off in the Gurdáspur percentage, which is observable under important heads, such as serious cases of criminal trespass, as well as in less important classes of offences. The decline in Sirsa is attributed by the Commissioner to the faulty working of the police. Colonel Minchin writes that he has had occasion more than once during the year to comment on the large number of discharges in the Sirsa District resulting from the faulty way in which the police send up the cases. The lower percentage in Delhi is said to be principally due to the greater preponderance in 1881 of cases of assault, enticing away married women, simple trespass, and the like, in which the proportion of convictions is always exceedingly low; and the falling off in the other districts named seems to be more or less attributable to the same cause. The percentages of the Rohtak, Siálkot, Gujránwála, Shahpur and Jhang Districts were, it will be seen, considerably higher in the year under report than in 1880.

Percentages of certain districts commented on.

57. The results of trials in the different denominations of Magisterial Courts are given for the two past years in the annexed statement:—

Results of trials in the different classes of Magisterial Courts.

Class of Court.		Number of persons disposed of.		Percentage of persons convicted, committed or referred.	
		1880.	1881.	1880.	1881.
Deputy Commissioners		6,784	8,387	63	58
Judicial Assistants	Europeans ...	2,624	3,012	54	54
	Natives ...	3,329	2,816	50	50
Assistant Commissioners		10,724	13,073	47	50
Extra Assistant Commissioners	Europeans ...	5,735	3,546	56	42
	Natives ...	41,062	43,859	49	49
Tahsíldárs		55,948	55,972	47	44
Náib-Tahsíldárs		9,670	8,663	88	85
Munsiffs		72	192	100	90
Cantonment Magistrates		6,861	7,596	74	79
Judges of Small Cause Courts		112	97	59	40
Canal Officers and other Special Magistrates		1,527	1,627	72	67
Boards of Honorary Magistrates		17,117	16,662	48	52
Honorary Magistrates sitting singly		11,135	11,503	39	38
Total ...		172,700	176,975	49	49

58. Of the total number of persons who were convicted during 1881, 76,621, or 87 per cent., were convicted on regular trial, and 10,796, or 13 per cent., on summary trial. Of the sentences passed in regular trials 74 per cent. were appealable, and appealable sentences were passed in 37 per cent. of the summary convictions.

Mode of trial and nature of sentence in the case of convicted persons.

59. Altogether, 2,508 persons remained undisposed of at the end of the year, the numbers being largest in Hoshiárpur (345) and Gurdáspur (335). At the close of the previous year, 2,688 persons were awaiting trial, Gurdáspur accounting for 328 and Lahore for 300 persons.

Persons awaiting trial.

Cases under trial, determined and pending.

60. The following table shows the number of cases under trial, determined and pending in the Courts of Magistrates during the past two years :—

Year.	*Under trial.*	*Determined.*	*Pending.*
1880	... 86,801	85,213	1,588
1881	... 85,109	83,884	1,225

Details of cases disposed of.

61. The disposals of 1881 consisted of—

1,221 enquiries under Chapter XV of the Criminal Procedure Code.

51,456 summons cases.

31,207 warrant cases.

Of the summons cases, 88 per cent. were tried regularly and 12 per cent. summarily. Of the warrant cases 94 per cent. were tried regularly.

References under Section 46, Criminal Procedure Code.

62. According to the returns, it would appear that in 208 cases the proceedings of Subordinate Magistrates were referred to District and Divisional Magistrates under Section 46 of the Criminal Procedure Code, as against 336 references in 1880. It is probable, however, that many of the 122 persons who are shown in the returns as referred to Magistrates of the first class and Chief Magistrates of Districts otherwise than under Section 46 were really referred under that section. Enquiries will be made on the subject. The reluctance shown by Subordinate Magistrates to make use of this section is noticed in several reports. "It is most difficult," writes Mr. Bullock from Jullundur, "to induce the Subordinate Magistrates to send up cases under Section 46, Criminal Procedure Code, and the sentences they pass are in many cases inadequate. Only two cases were sent up under that section during the year, and both were submitted by a European Magistrate." These remarks have special reference to Tahsíldárs, who are the only Magistrates with subordinate powers who ordinarily dispose of serious criminal cases, and the disinclination to which Mr. Bullock draws attention, and which undoubtedly exists, is an additional reason—other reasons will appear hereafter—why cases which call for more severe punishment than can be awarded by a Subordinate Magistrate on his own responsibility should be left as little as possible to the disposal of these officers.

Pending cases.

63. Of the 1,225 cases in which the proceedings were unconcluded at the end of the year, only 15 had been pending for more than three months. Seven of these, including the oldest undisposed of case, which dates from 19th May 1881, were pending in the Amritsar District. The explanation given for the delay in these cases is considered by the Judges insufficient, and the Magistrates concerned have been so informed.

Average duration of cases.

64. The average duration of cases disposed of by Magistrates of all classes was 8 days, as in 1879 and the six preceding years. In 1880, it may be remembered, the provincial average rose to 9 days.

In the following districts the average of the Province was considerably exceeded :—

Amritsar	...	22 days.
Gurdáspur	...	18 „
Jhang	...	13 „
Jhelum	...	12 „

The high average of the Amritsar District is partly accounted for by the great sickness which prevailed in the city of Amritsar during the autumn and early winter months. In Jhang and Jhelum the large proportion of warrant cases, coupled with the great extent of the districts, is no doubt the explanation. The Judges are not aware of any special reason why the average of the Gurdáspur District should be so much above the general average of the Province, and no reasons are given in the local reports.

Average duration in the different classes of Magisterial Courts.

65. Particulars regarding the duration of cases in the different classes of Magisterial Courts are noted below :—

Special Magistrates	... ...	6 days.
Honorary Magistrates sitting singly	2nd and 3rd class	7 „
	1st class	10 „
Benches of Magistrates	... ...	5 „
Stipendiary Magistrates other than Chief Magistrates of Districts.	2nd and 3rd class ...	7 „
	1st class	10 „
References under Section 46, Criminal Procedure Code	...	5 „
Chief Magistrates of Districts	Under their ordinary powers ...	9 „
	Under their powers under Sec. 36, Cr. P. Code	17 „

E.—Distribution of Criminal business.

Distribution of business.

66. The total number of cases disposed of during 1881 was 84,699, as compared with 85,570 in the previous year. They were distributed between the several classes of Courts as under :—

Class of Court.	Year.	Number of cases.	Percentage.
Special Magistrates	1880	568	0·7
	1881	781	0 9
Honorary Magistrates sitting singly	1880	5,124	6 0
	1881	5,212	6 2
Benches of Magistrates	1880	9,254	10 8
	1881	8,518	10 1
Subordinate Stipendiary Magistrates	1880	66,848	78 1
	1881	64,956	76·7
Magistrates of Districts	1880	3,419	4 0
	1881	4,417	5 2
Courts of Session	1880	354	0 4
	1881	707	0 8
Chief Court	1880	3	0·0
	1881	108	0·1

The increase in the number of cases shown against Courts of Session and the Chief Court in the latter year is chiefly due to the inclusion of cases disposed of on reference, which in previous years have only been shown against the Courts making the reference. In the revised forms these references appear both against the Court making the reference and the Court receiving it.

Distribution in districts.

67. Further particulars as to the share of criminal work taken up by the several denominations of Magistrates during the past three years will be found in the following table :—

Class of Courts.	Cases disposed of.			Percentage.			Average number of cases decided by Officers of each grade.		
	1879.	1880.	1881.	1879.	1880.	1881.	1879.	1880.	1881.
Canal Officers and other Special Magistrates ...	690	568	781	0·9	0·6	0·9	53	47	65
Honorary Magistrates sitting singly ...	5,699	5,124	5,212	7·0	6·1	6·2	92	83	84
Boards of Honorary Magistrates ...	7,654	9,254	8,518	9·1	10·9	10·2	589	617	448
Munsiffs ...	52	66	159	0·1	0·1	0·2	4	3	5
Náib-Tahsíldárs with judicial powers ...	3,565	4,067	3,251	4·4	4·7	3·9	102	150	116
Tahsíldárs ...	22,359	24,363	24,034	27·4	28·6	28·7	186	196	194
Judges of Small Cause Courts as Magistrates ...	101	102	84	0·1	0·1	0·1	101	51	84
Cantonment Magistrates ...	4,706	4,185	4,667	5·8	4·9	5·6	588	523	583
Extra Assistant Commissioners ...	23,541	25,094	23,305	29·0	29·4	27·8	233	248	231
Assistant Commissioners ...	6,252	5,693	6,381	7·7	6·7	7·6	184	167	186
Judicial Assistants and Extra Judicial Assistants ...	2,893	3,278	3,075	3·6	3·9	3·5	140	156	146
Deputy Commissioners ...	4,012	3,419	4,417	4·9	4·0	5·3	125	107	138

Special Magistrates.

68. It will be seen from this table that Special Magistrates, who consist for the most part of Canal Officers, disposed of more cases in 1881 than in either of the two previous years. It has already been pointed out that two additional Canal Officers were invested with magisterial powers during the year in the Mooltan and Muzaffargarh Districts.

Honorary Magistrates.

69. Honorary Magistrates sitting alone disposed of 5,212 cases in 1881, as compared with 5,124 cases in 1880, and 5,699 in the previous year. The following are the gentlemen who rendered the greatest assistance to the criminal administration during the year under report :—

District.	Name of Magistrate.	Powers.	Number of cases disposed of.
Ludhiána	Shahzáda Nádir	2nd Class.	744
Amritsar	Sardár Ajít Singh	1st „	412
Gurdáspur	Diwán Narinjan Dás	2nd „	349
Ferozepore	Sodhi Mán Singh	1st „	273
Dera Gházi Khan	Nawáb Imám Bakhsh Khán	1st „	200
Kángra	Rája Amar Chand	1st „	184
Muzaffargarh	Allahdád Khan	2nd „	164

Boards of Magistrates.

70. Boards of Magistrates disposed of 8,518 cases in 1881, as compared with 9,254 cases in 1880, and 7,654 cases in 1879. The work disposed of by each Board during the last two years is shown in the following statement:—

District.	Board.	Powers.	Number of cases disposed of.		
			1880.	1881.	Difference
Delhi	Delhi	2nd Class....	1,726	1,613	-113
	Sonepat	3rd do ...	44	51	+7
Gurgaon	Rewári	3rd do ...	103	91	-12
Rohtak	Rohtak	3rd do ...	79	142	+63
	Jhajjar	3rd do ...	117	142	+25
	Bahádurgarh	3rd do ...	33	35	+2
Jullundur	Jullundur	2nd do ...	394	381	-13
Amritsar	Amritsar	2nd do ...	1,679	1,745	+66
Gurdáspur	Batála	2nd do ...	249	282	+33
Siálkot	Baddoke	3rd do ...	257	281	+24
Lahore	Lahore	2nd do ...	612	1,033	+421
Gujránwála	Gujránwála	2nd do ...	730	602	-128
	Wazirabad	2nd do ...	474	263	-211
	Mánánwála	3rd do ...	8	322	+314
Ferozepore	Ferozepore	3rd do ...	1,382	43	-1,339
Mooltan	Mooltan	3rd do ...	689	540	-149
Dera Ismail Khán	Dera Ismail Khán	2nd do ...	18	99	+81
Dera Gházi Khán	Dera Gházi Khán	3rd do ...	88	148	+60
Peshawar	Peshawar	3rd do ...	572	705	+133
	Total ...	...	9,254	8,518	-736

The circumstances under which the Ferozepore Board has ceased to hold sittings have already been commented on. The sittings of the Mooltan Board were suspended during the last quarter of the year in consequence of the feeling which had sprung up between some of the Magistrates with reference to the damage done to religious buildings during the riots. No special reasons are given for less work having been taken up by the Delhi, Gujránwála and Wazirabad Boards last year. The increase in the amount of work performed by the Lahore Bench is noticed with approval by the Deputy Commissioner. The Mánánwála Board was only constituted towards the close of 1880, and had hardly entered on its duties at the close of the year; the good services of Sardárs Fatch Singh and Nihal Singh, who form the Board, during the year 1881, are acknowledged in the Deputy Commissioner's report. The character of the work of the other Boards is generally well spoken of.

Disposals by Munsiffs.

71. The increase in the number of cases disposed of by Munsiffs probably indicates that more persons were punished for contempt of Court in the latter than in the former year, and is, therefore, to be regretted.

Náib-Tahsíldárs.

72. The only Náib-Tahsíldárs who now exercise criminal powers are a few who were invested with these powers before the introduction of the Judicial Agency scheme of 1875, and a very few who hold independent charges. These officers disposed of 3,251 cases in 1881, as against 4,067 in 1880 and 3,565 in 1879.

Criminal work of Tahsíldárs.

73. The average number of cases decided by each Tahsíldár has fallen from 196 to 194. In eleven districts the number exceeded 240 cases for the year, that is, an average of 20 cases a month. Full particulars regarding the judicial work of the Tahsíldárs of these districts will be found in the subjoined table :—

District.	Criminal.		Civil.		Total.
	Summons cases.	Warrant cases.	Uncontested.	Contested.	
Hoshiárpur	269	52	138	75	534
Amritsar	220	85	86	67	408
Gurdáspur	308	48	137	107	600
Siálkot	187	69	74	97	427
Lahore	222	118	136	97	573
Ferozepore	104	154	89	72	419
Rawalpindi	242	56	105	147	610
Jhelum	174	222	245	125	766
Gujrat	265	26	163	135	589
Hazára	175	173	153	161	662

These details have been given in order that the Government may be in a position to take a comprehensive view of the amount of judicial work performed by Tahsíldárs in those districts in which there seems most reason to apprehend that the Tahsíl Courts have been too heavily burdened with criminal business. In former years, when exception has been taken to the number of criminal cases disposed of by certain Tahsíldárs, District Officers have urged that, taken as a whole, the judicial work of these Tahsíldárs was not more than they could dispose of without prejudice to their other duties, that the criminal disposals consisted largely of petty cases which occupied but little of the Tahsíldár's time and energies, and have laid special stress on the extreme hardship which would result if parties and witnesses were sent long distances to the head-quarters of the district in such cases, perhaps to be fined a few rupees at the end of their journey, or to be told that their complaint was not one with which a Criminal Court could concern itself. The distinction made in the revised forms between summons cases and warrant cases now allows of an estimate being formed of the character of the criminal work disposed of by the various Courts, and the Judges think that His Honor the Lieutenant-Governor will agree with them that, while on many grounds it is undesirable that any considerable share of the more important and difficult cases should be taken by Tahsíldárs, it is expedient that petty criminal cases should, as far as possible, be disposed of locally, and that the disposal of such cases is not likely to occupy too much of the Tahsíldár's time. The particulars regarding civil work further show whether, where the criminal work appears somewhat heavy, the excess is balanced by proportionately light civil business.

Applying these tests, it will be seen that in the Hoshiárpur, Amritsar and Siálkot Districts the criminal business disposed of by Tahsíl Courts consisted mainly of summons cases and the civil work was exceptionally light. Taken as a whole, the judicial work performed by Tahsíldárs in these districts cannot, the Judges think, be considered excessive. In Gurdáspur and Gujrat also the criminal work consisted largely of petty cases, and, considering that the pressure of judicial work is heavy in these districts, the Court is not inclined to take exception to the share disposed of by the Tahsíldárs. In Ferozepore the total amount of work disposed of by Tahsíldárs was not excessive. It will be seen, however, that the criminal work consisted to a great extent of warrant cases. This is due to certain rules of distribution which were promulgated by the Deputy Commissioner at the commencement of the year. These rules came to the knowledge of the Judges shortly before the end of the year, and have since been withdrawn under their orders. In Lahore also too many warrant cases were taken up by the Tahsíl Courts, and this has been pointed out to the local authorities. A Board of Honorary Magistrates has recently been created for the town of Rawalpindi, and fresh arrangements have been made for the distribution of civil work. These measures will, the Court hopes, reduce the judicial work of the Tahsíldárs, which is at present rather heavy. The amount of

criminal work made over to Tahsíldárs in the Jhelum and Házara Districts formed the subject of correspondence during the year. The present statistics show that too many warrant cases were taken up by the Tahsíl Courts, and the local authorities have been so informed. In some other districts where, though the average for the district is not excessive, the criminal work in particular tahsíls appears to the Judges to be undesirably heavy; the matter is being enquired into, and the necessary orders will be passed by the Court.

Small Cause Courts.

74. The cases entered against Judges of Small Cause Courts were all disposed of by the Judge of the Delhi Small Cause Court, who has been invested with magisterial powers under Section 51, Act XI of 1865.

Cantonment Magistrates.

75. The Cantonment Magistrate of Ferozepore disposed of 1,181, and the Cantonment Magistrate of Rawalpindi of 887, of the total number of cases disposed of by Cantonment Magistrates. In both cases, petty breaches of Cantonment rules largely predominate.

Judicial Assistants, Assistant Commissioners and Extra Assistant Commissioners.

76. The percentages of cases disposed of by Extra Assistant Commissioners and Judicial Assistants are somewhat lower, and that of Assistant Commissioners a little higher, than in the previous year, being in each case lower than the percentages of 1878. The differences, however, are not so marked as to require explanation.

Criminal work of Deputy Commissioners.

77. Full particulars of the criminal work disposed of by each Deputy Commissioner in the Province during the last two years are given in the subjoined statement:—

DISTRICT.	Under his enhanced powers.		Under his ordinary powers.		With the assistance of a Council of Elders.		Under his appellate powers.	
	1880	1881	1880	1881	1880	1881	1880	1881
Delhi	27	35	53	61	...	...	55	74
Gurgaon	20	15	56	30	...	...	86	45
Karnál	9	18	84	58	...	...	32	56
Hissar	25	25	43	44	...	...	31	40
Rohtak	8	27	43	30	...	...	28	114
Sirsa	13	18	117	254	...	...	22	27
Umballa	17	28	105	58	...	...	19	34
Ludhiána	26	21	77	82	...	...	84	114
Simla	2	4	28	21	...	...	2	...
Jullundur	14	33	56	30	...	...	78	114
Hoshiárpur	7	16	50	33	...	...	113	109
Kángra	6	13	16	45	...	...	39	58
Amritsar	33	42	192	240	...	...	151	90
Gurdáspur	19	9	32	24	...	...	179	80
Siálkot	29	29	47	116	...	...	124	102
Lahore	52	40	61	61	...	...	103	89
Gujránwála	22	21	75	270	...	...	56	68
Ferozepore	37	8	145	347	...	...	104	62
Rawalpindi	32	30	63	91	...	...	108	195
Jhelum	33	29	111	91	...	...	96	104
Gujrat	24	10	70	88	...	...	122	81
Shahpur	14	19	21	39	...	...	51	51
Mooltan	27	47	55	123	...	...	37	60
Jhang	14	11	60	292	...	...	60	126
Montgomery	10	10	102	115	...	...	42	35
Muzaffargarh	45	34	43	159	...	...	13	29
Dera Ismail Khan	29	16	104	67	75	51	9	24
Dera Gházi Khan... ...	...	27	94	95	89	32	11	25
Bannu	16	20	25	64	120	108	26	7
Pesháwar	10	11	76	61	86	123	13	11
Hazára	3	8	62	43	31	28	23	9
Kohát	8	...	89	36	182	233	10	4
TOTAL ...	631	674	2,255	3,168	833	575	1,922	2,038

These figures do not appear to the Court to call for detailed criticism. Speaking generally, the Judges are satisfied with the share taken by Deputy Commissioners in the criminal administration of their districts. The criminal statements which are submitted to

Commissioners of Divisions and the Court at the end of each month sometimes show that cases have been left to the disposal of a Subordinate Magistrate which would more appropriately have been taken up by the Deputy Commissioner himself. Such cases are invariably remarked on, and the remarks thus made from time to time have in most cases had the desired effect.

Distribution of work among classes of Magistrates.

78. Excluding cases disposed of under Section 36 of the Criminal Procedure Code, and in Frontier Districts with the assistance of Councils of Elders, 82,635 cases were disposed of by Magistrates in the exercise of their ordinary powers, as under—

	Number of cases.	Percentage.
Magistrates of the first class ...	39,549	48
Magistrates of the second and third class	43,086	52

In the previous year the proportions were 45 per cent. by Magistrates of the first class, and 55 per cent. by Magistrates with subordinate powers.

F.—Special Jurisdiction of Magistrates.

Jurisdiction under Section 36, Criminal Procedure Code.

79. It has been shown above that 674 cases were disposed of by Deputy Commissioners in the exercise of their jurisdiction under Section 36 of the Criminal Procedure Code; of these, 361, or 53 per cent., were cases triable exclusively by a Court of Session, and 313, or 47 per cent., were cases triable by a Magistrate in which the ordinary powers of punishment vested in a Magistrate of the first class were exceeded. In 1880 the percentages were 39 and 61, respectively.

General results of trials under Section 36, Criminal Procedure Code.

80. The total number of persons disposed of by Deputy Commissioners under their enhanced powers was 1,348; of these, 26 per cent. were acquitted or discharged, 50 per cent. were convicted and sentenced to punishments not requiring confirmation by the Sessions Judge, and on 24 per cent. sentences were passed which had to be referred for confirmation to the Court of Session. Of these last sentences, numbering 329, 277 were confirmed, 39 were modified, and 3 were annulled.

Results in each district.

81. The following statement shows the results of trials under Section 36 of the Criminal Procedure Code in each district, and the average duration of these cases :—

DISTRICT.	Persons			Average duration of each case.
	Acquitted and discharged.	Convicted.	Referred to Court of Session.	
Delhi ...	11	18	15	12
Gurgaon ...	6	9	7	14
Karnál ...	4	27	6	10
Hissar ...	23	39	14	13
Rohtak ...	7	22	25	28
Sirsa ...	5	22	5	9
Umballa ...	8	22	23	17
Ludhiána ...	15	5	19	47
Simla ...	3	2	5	3
Jullundur ...	18	16	15	12
Hoshiárpur ...	11	13	7	39
Kángra ...	1	11	4	6
Amritsar ...	9	33	21	33
Gurdáspur ...	1	10	2	34
Siálkot ...	11	22	11	9
Lahore ...	21	44	27	24
Gujránwála ...	7	21	9	15
Ferozepore ...	1	13	...	8
Carried over ...	162	349	214	

DISTRICT.	Persons.			Average duration of each case.
	Acquitted and discharged.	Convicted.	Referred to Court of Session.	
Brought forward ...	162	349	214	
Rawalpindi	10	20	7	19
Jhelum	7	42	8	43
Gujrat	9	19	17	9
Shahpur	2	14	8	9
Mooltan	123	32	42	18
Jhang	2	8	7	12
Montgomery	3	20	2	10
Muzaffargarh	1	45	8	12
Dera Ismail Khan	7	20	4	33
Dera Gházi Khan	12	40	1	12
Bannu	7	15	7	24
Peshávar	8	31	4	8
Hazára	2	9	...	9
Kohát	...	...	...	...
TOTAL ...	355	664	329	17

The district which shows the highest percentage of unsuccessful trials is Mooltan, where 62 per cent. of the persons disposed of were discharged or acquitted. The Deputy Commissioner explains that sufficient discrimination was not exercised in the arrests made in connection with the September riots. It is also possible that some persons have been included who were really disposed of by the Deputy Commissioner under his ordinary powers. Enquiry is being made on this point.

Average duration of trials.

82. The average duration of these trials throughout the Province was 17 days, as in the previous year. This average was greatly exceeded in the Ludhiána, Jhelum, Hoshiárpur, Gurdáspur, Amritsar and Dera Ismail Khán Districts. The delays in the particular Courts which caused these high averages were commented on by the Judges during the course of the year.

Summary jurisdiction.

83. The only classes of Courts in the Punjab which dispose of any considerable number of cases summarily are Benches of Municipal Magistrates and Cantonment Magistrates. Magistrates of Districts, in whose office the power is inherent, have not, as a rule, leisure to take up cases which are suitable for summary trial, and other Subordinate Magistrates are not now, except under special circumstances, invested with powers that, under the present law, allow sentences to be passed, to the full extent of the Magistrate's powers, which, though theoretically appealable, can from the nature of the proceedings hardly be appealed against. The difficulty of dealing with these cases satisfactorily on appeal has been recognised in the new Code of Criminal Procedure, which limits the term of imprisonment awardable on summary trial to three months. When this Code comes into force at the beginning of next year, the Court will probably be able to recommend an increase to the number of Magistrates who now possess summary powers.

Summary cases were distributed between the different classes of Magistrates during the last two years as under—

	1880	1881
Magistrates of Districts	332	471
Boards of Magistrates	2,822	2,998
Cantonment Magistrates	2,497	2,598
Other Magistrates	1,478	1,920

Jurisdiction over European British subjects.

84. During the year under report, 192 European British subjects were brought before Magistrates on criminal charges, as compared with 194 in the previous year. Sixty-six were acquitted or discharged, 114 were convicted, and 12 persons were committed—7 to the Chief Court and 5 to Courts of Session. The punishments awarded by Magistrates do not call for special remark. The trials in Courts of Session and the Chief Court will be noticed hereafter.

Jurisdiction under Frontier Rules.

85. The following table exhibits the working of the Frontier Rules during the past two years :—

District.	*Regulation I of* 1872, *Section* 3. Villages fined for suppression of evidence or harbouring criminals.		*Regulation I of* 1872, *Section* 4. Cases in which persons were deported on account of quarrels likely to lead to bloodshed.		*Regulation I of* 1872, *Section* 8. Adultery.		*Regulation IV of* 1873, *Section* 2. References to Councils of Elders.	
	1880.	1881.	1880.	1881.	1880.	1881.	1880.	1881.
Dera Ismail Khán ...	...	...	...	...	...	3	75	51
Dera Gházi Khán ...	2	...	...	...	...	...	39	32
Bannu	...	2	...	...	4	...	120	106
Peshâwar	3	2	8	6	...	...	75	115
Hazára	2	...	...	1	...	...	31	27
Kohát	2	2	5	6	3	...	182	233
TOTAL ...	9	6	13	13	7	3	522	564

The fines imposed under Section 3, Regulation I of 1872, aggregated Rs. 532-12-0 in the Bannu District, Rs. 700 in Peshâwar and Rs. 950 in Kohát.

Cases disposed of by Councils of Elders.

86. The 564 cases disposed of by Councils of Elders involved 1,466 persons ; of these, 718, or 49 per cent., were convicted.

The percentage of convictions in each district is compared with that of the previous year below—

	1880	1881
Dera Ismail Khán ...	77	57
Dera Gházi Khán ...	91	77
Bannu ...	38	31
Peshâwar ...	81	70
Hazára ...	31	54
Kohát ...	51	43

The low percentage in the Bannu District is said by the Deputy Commissioner to be chiefly due to numerous discharges in cases of burglary and theft, especially in cases occurring Cis-Indus or at a distance from the border, where, writes Mr. Udny, the old system of settlement by jirga is tending to become obsolete under our rule of law. If this be so, the expediency of continuing to refer so many cases to Councils of Elders seems to be doubtful. In the other two districts of the Derajat the power of reference is much more sparingly exercised, and it can hardly assist the administration to continue in the Bannu District to make references which no longer give satisfaction to the people and which so seldom lead to any practical results.

On the other hand, the large percentage of discharges in the Kohát District is not, according to the Deputy Commissioner's view of the matter, unsatisfactory. "Great numbers of cases," writes Mr. Tucker, "are sent up to Councils of Elders in which there is not even strong suspicion against the accused. The complainant has charged some enemy of his with a theft or burglary, as the case may be. To satisfy him, the case is made over to a Council of Elders, in order that the accused, generally with compurgators, may take oath to his own innocence, which he almost invariably does. This is a merely formal arrangement, but gives great satisfaction to the complainant and stops the case, whereas without such a formality the complainant would consider himself bound sooner or later to take his revenge. The decision of the elders and the oath are supposed to satisfy the demands of honor."

The amount of fines imposed, and of compensation ordered to be awarded, by Councils of Elders was as follows:—

	Fines imposed.	*Amount ordered in compensation.*
	Rs.	Rs.
Dera Ismail Khán ...	3,334	3,334
Dera Gházi Khán ...	7,514	4,234
Bannu ...	8,975	7,408
Pesháwar ...	16,523	9,354
Hazára ...	1,482	856
Kohát ...	29,067	5,995
Total ...	66,895	31,181

From the above it appears that more than Rs. 29,000 were imposed in fines in the Kohát District, of which more than Rs. 23,000 were, on realization, to be credited to Government. It further appears from the Deputy Commissioner's report that Rs. 18,052 (including Rs. 235 due on account of fines imposed in previous years) were actually realized, of which Rs. 4,034 only were paid away in compensation. Mr. Tucker's comments on these figures, which appear to be concurred in by the Sessions Judge, are sufficiently important to be quoted at length.:—

"All sorts of cases connected with women are very largely made over for settlement by Councils of Elders, and these can be disposed of by them very suitably. As regards more serious cases, such as murders and robberies, when, in addition to the blood-money and compensation paid to the complainants, large fines are realized for Government, I am doubtful whether the effect is good. The large fines put on must in many cases nearly ruin the family, and, if evidence could be procured, it would be better for the family itself to have one or two of its members hanged or imprisoned with a moderate fine, than to be subjected to these crushing fines. Unfortunately, evidence is often not procurable, and it is hardly sufficient to let off the offenders in some dastardly murder with a fine of Rs. 300, which is the ordinary rate of compensation according to local custom. In cases connected with women the bulk of the fine, if not the whole, goes to the complainant, from whom the accused will probably recover it sooner or later in some other case.

"After deducting compensation paid to complainants, the fines realized in this district during the past year have been as follows:—

Fines imposed in judicial cases	... Rs. 14,612
Ditto under Frontier Regulations ...	... „ 14,518
Total	... „ 29,130

"Putting a full assessment on the Khatak country, which at present pays only a light quit-rent, the revenue of the district may be roughly put at Rs. 1,50,000. A demand of Rs. 29,130 for criminal fines in such a district seems very heavy, and must, I should think, have an impoverishing effect. The amount of fines for the whole Province, after deducting compensation paid to complainants, for last year was Rs. 4,11,556 on a revenue of about Rs. 2,00,00,000, or about 2 per cent. In this district the percentage is 19 per cent. The matter is one which I intend to inquire into."

Remarks of the Sessions Judge of Peshâwar on trials by Councils of Elders in the Peshâwar District.

87. The Sessions Judge of Peshâwar, in commenting on the working of the rules in the Peshâwar Division, says that he believes that in the Peshâwar District the jirgas take but little trouble to find out the facts, and decide on the record and what they can discover at the katchery, instead of making a local enquiry. This mode of disposing of the cases, if it really prevails, certainly seems open to objection.

Murderous Outrages Act.

88. One case was dealt with under the Murderous Outrages Act in the Peshâwar District. The person concerned therein was sentenced to death and executed.

C.—Original Jurisdiction of Courts of Session.

Alteration in form of returns.

89. In previous years the returns of original business submitted by Courts of Session have only taken into account cases falling under Chapter XIX of the Code of Criminal Procedure, and have not taken credit for cases received on reference under Sections 36 and 507 of the Code. The revised forms include references as well as Sessions trials.

Sessions trials.

90. The Sessions trials of the year are set out in the following table, to which the totals of the previous year have been added for purposes of comparison:—

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
Division.	For Disposal.				Disposed of						Pending at the end of the year.		Percentage of persons convicted.	Cases pending over three months.	Average duration.	Date of oldest case pending.
	Persons		Total		Persons				Total							
	Remaining from previous year.	Committed to the Sessions during the year.	Cases.	Persons.	Died, escaped or transferred, or trial postponed in consequence of insanity	Acquitted.	Convicted.	Convicted and referred to Chief Court under Sec. 287 Cr. P. C.	Cases.	Persons.	Cases.	Persons.				
Delhi ...	8	32	19	40	...	18	16	5	18	39	1	1	54	...	53	15th Decr. 1881
Hissar ...	3	72	23	75	2	15	30	21	19	68	4	7	42	...	52	6th Octr. 1881
Umballa ...	1	41	30	42	...	4	25	12	29	41	1	1	90	...	51	9th Decr. 1881
Jullundur ...	9	17	20	26	...	7	14	5	20	26	...	...	73	...	78	...
Amritsar ...	1	35	24	36	...	12	12	6	22	30	2	6	60	...	42	5th Decr. 1881
Lahore ...	4	54	33	58	...	11	37	9	32	57	1	1	82	...	50	25th Octr. 1881
Rawalpindi ...	...	193	82	193	...	71	69	22	75	162	7	31	56	3	47	8th S pt. 1881
Mooltan ...	4	34	25	38	...	10	21	7	25	38	...	...	74	...	52	...
Derajat ...	33	128	71	161	2	49	58	14	51	123	20	38	46	9	118	14th June 1881
Peshawar ...	41	288	155	329	3	99	129	35	132	266	23	63	62	...	48	5th Octr. 1881
Total 1881	104	894	482	998	7	296	411	136	423	850	59	148	64	12	58	14th June 1881
Total 1880	47	734	407	781	8	219	303	147	354	677	53	104	66	5	51	16th Augt. 1880

Cases for disposal and results of trials.

91. It will be seen that the number of cases for disposal increased from 407 to 482, the increase being most conspicuous in the Rawalpindi Division, where 48 more cases were committed for trial in 1881 than in the previous year, and in the Umballa Division, where the number of commitments rose from 14 to 29. Of the cases for disposal, 423, or 88 per cent., were disposed of during the year, the 850 persons concerned in these cases being dealt with as under:—

	Number.		*Percentage.*	
	1880	1881	1880	1881
Convicted and sentenced to death ...	147	136	14	16
Convicted and sentenced otherwise ...	411	303	53	48
Acquitted ...	296	219	31	35
Died, &c. ...	8	7	2	1

The percentage of convictions was lowest in the Hissar (42) and Derajat (46) Courts. Ninety per cent. of the persons tried by the Sessions Judge of Umballa were convicted.

Pending cases.

92. Fifty-nine cases, involving 148 persons, remained undisposed of at the end of the year. Of these, 23 cases and 63 persons were awaiting trial in the Peshawar Court, and 20 cases and 38 persons in the Court of the Sessions Judge of the Derajat. The Peshawar cases have all been disposed of during the current year. The arrears in the Derajat Court, which are partly due to special circumstances unconnected with the Judicial Department, have formed the subject of a special reference to Government, and 14 cases belonging to the Bannu District have recently been made over to the Sessions Judge of Peshawar for disposal. With the assistance which has been thus afforded to him, the Judges think that Colonel Ommaney should soon be able to free himself from his remaining arrears.

Only 12 Sessions cases had been pending for more than three months at the end of the year. The three in the Rawalpindi Court were disposed of in January. Most of the Derajat cases, including the oldest case, which dates from 14th June 1881, are still pending.

Average duration.

93. The average duration of Sessions trials has risen from 51 to 58 days, the Jullundur and Derajat Courts being responsible for the increase.

References.

94. In addition to Sessions cases, 284 references were disposed of by Courts of Session during the year. Two hundred and sixty-nine of the references were under Section 36, and 14 under Section 507 of the Criminal Procedure Code. The remaining reference was under Section 42 of the Punjab Laws Act. The 362 persons concerned were dealt with in the following manner:—

In the case of 351, or 97 per cent., the conviction was upheld.

In the case of 11, or 3 per cent., the conviction was annulled.

These references required, on an average, 13 days for disposal, the averages of individual Courts varying from 25 days in the Derajat Court to 3 days in the Umballa Court.

Six references, affecting 7 persons, were undisposed of at the end of the year.

Use of Assessors.

95. In 404 of the Sessions trials assessors were employed. In 347 of these cases the Judge concurred in the opinion of the assessors or a majority of them; in 9 cases the Judge differed from two of the assessors, and in 48 cases from all three assessors.

Trials by Jury.

96. No Court of Session in the Punjab has been empowered under Section 233 of the Criminal Procedure Code to try particular offences by jury, and no trials by jury took place under the provisions of Section 234 of the Code during the year.

Trials of European British subjects.

97. Five European British subjects were tried by Courts of Session during 1881. Of these, one was acquitted of a charge of receiving stolen property; three were convicted of offences against property and sentenced to terms of rigorous imprisonment varying from one year, with six months more in default of payment of fine, to three months; and the fifth was convicted under Section 498 of the Indian Penal Code and sentenced to three months simple imprisonment and a fine of Rs. 100 by the Sessions Judge of Lahore.

II.—Witnesses.

Total number of witnesses examined.

98. The number of witnesses who were examined by the Criminal Courts of the Province during the year under report is noted below—

District Courts	...	...	... 223,146
Sessions Courts	...	...	... 5,807
Chief Court	...	...	... 95
		Total	... 229,048

Witnesses in District Courts.

99. Including witnesses who were not examined, the total number who attended District Courts was 228,627. Of these, 89 per cent. were discharged on the first day of their attendance, 8 per cent. were discharged on the second day, 2 per cent. on the third day, and 1 per cent. were detained for more than three days. The proportions were exactly the same in the previous year.

The districts where the greatest numbers of witnesses were detained for more than three days were—

Delhi	...	...	...	... 166
Lahore	...	...	...	... 173
Gujránwála	...	...	...	... 148
Jhelum	...	...	...	... 135

In all these districts the number seems unduly high.

In the Simla District every witness was discharged on the first day of his attendance; in Sirsa no witness was detained more than two days, and in Gujrat more than three days.

The longest detentions were in Hoshiárpur, where 13 witnesses were detained for periods varying from 9 to 15 days, and in Mooltan, where 17 witnesses were similarly detained. The detentions in Hoshiárpur were in the Court of the Deputy Commissioner and could, the Commissioner thinks, have been avoided. The detentions in Mooltan were in the Court of the Honorary Magistrates, and are said to have resulted from the closing of that Court, and to have caused no practical inconvenience as all the witnesses lived in the city. It can hardly, however, have been convenient even for witnesses living near the Court to have had to attend day after day to find out whether their presence would be required, and the inconvenience might have been avoided by discharging the witnesses and issuing fresh notices to them when arrangements had been made for proceeding with their cases.

Dieting of witnesses in District Courts.

100. The following statement gives particulars regarding the dieting of witnesses in District Courts :—

District.	Number of witnesses who attended the Courts.	Number of witnesses examined.	Actual number of witnesses dieted.	Number of witnesses dieted by		Amount of diet money paid		Average cost of each witness dieted						Percentage of witnesses dieted to those examined.
				Police.	Magistrate.	By Police.	By Magistrate.	By Police.			By Magistrate.			
								Rs.	A.	P.	Rs.	A.	P.	
Delhi ...	9,602	9,358	1,547	675	1,218	133	412	0	3	2	0	5	5	16
Gurgaon ...	5,285	5,213	1,876	1,346	911	404	467	0	4	9	0	8	2	36
Karnál ...	4,307	4,240	1,674	1,128	768	213	293	0	3	0	0	6	1	39
Hissar ...	5,743	5,725	793	243	662	36	191	0	2	5	0	4	7	14
Rohtak ...	7,961	7,519	2,096	1,646	1,639	311	573	0	3	0	0	5	7	28
Sirsa ...	2,630	2,630	712	548	178	122	102	0	3	6	0	9	2	27
Umballa ...	8,360	8,217	3,059	1,908	2,108	726	1,021	0	6	1	0	7	9	37
Ludhiána ...	4,626	4,583	3,889	477	3,412	142	1,005	0	4	9	0	4	8	84
Simla ...	2,270	2,270	149	25	124	3	136	0	1	11	1	1	7	7
Jullundur ...	4,674	4,674	1,887	640	1,731	103	735	0	2	7	0	6	9	40
Hoshiárpur ...	7,230	7,009	1,882	1,589	926	385	624	0	3	11	0	10	9	27
Kángra ...	5,104	5,100	1,938	654	1,289	179	379	0	4	6	0	4	1	38
Amritsar ...	11,239	10,843	3,144	3,089	1,089	391	478	0	2	0	0	7	0	29
Gurdáspur ...	7,183	7,183	3,298	1,202	2,096	336	1,091	0	4	5	0	8	4	45
Siálkot ...	9,623	9,583	2,011	1,876	740	359	294	0	3	0	0	6	1	21
Lahore ...	13,992	12,231	5,130	4,032	2,892	945	1,100	0	3	9	0	6	1	42
Gujránwála ...	8,534	8,501	1,960	1,496	609	324	256	0	3	6	0	6	9	23
Ferozepore ...	5,885	5,027	2489	1,904	1,780	463	587	0	3	11	0	5	3	49
Rawalpindi ...	12,714	12,508	3,618	2,573	1,505	543	325	0	3	5	0	3	5	29
Jhelum ...	9,025	8,221	1,410	478	942	372	1,023	0	12	5	1	1	4	17
Gujrat ...	6,724	6,387	2,646	2,552	94	532	74	0	3	4	0	12	7	41
Shahpur ...	12,014	11,912	1,498	1,457	55	515	48	0	5	8	0	14	0	13
Mooltan ...	8,549	8,549	2,981	1,584	2,547	613	1,471	0	6	2	0	9	3	35
Jhang ...	5,054	5,040	1,920	865	1,322	299	745	0	5	6	0	9	0	38
Montgomery ...	4,501	4,501	1,975	1,968	108	336	111	0	2	9	1	1	3	44
Muzaffargarh ...	13,656	13,514	2,799	2,285	992	706	506	0	4	11	0	8	1	21
Dera Ismail Khan ...	4,136	4,122	917	164	939	53	710	0	5	2	0	12	1	23
Dera Gházi Khan ...	4,867	4,867	1,824	...	1,824	...	952	...	...	...	0	11	6	27
Bannu ...	5,083	5,063	463	160	387	78	339	0	7	10	0	14	0	9
Peshawar ...	9,656	9,656	191	...	191	...	166	...	...	...	0	13	11	2
Hazára ...	4,733	4,733	2,281	1,014	1,546	185	479	0	2	11	0	4	11	48
Kohát ...	4,167	4,167	929	...	929	...	508	...	...	...	0	8	9	22
Total 1881	228,627	223,146	64,516	39,578	37,048	9,807	17,201	0	4	0	0	7	5	28·9
Total 1880	...	217,500	77,236	45,121	39,875	11,210	18,715	0	3	11	0	7	6	35·5

It will be seen that, notwithstanding that 5,646 more witnesses were examined in 1881 than in the previous year, the number of witnesses dieted fell from 77,236 to 64,516. The decrease is probably to a great extent due to the greater preponderance in the year under report of petty cases, in which the parties themselves usually arrange for the attendance of their witnesses. The total amount paid to witnesses for attending Magistrates' Courts was Rs. 27,003 in the past, as compared with Rs. 29,925 in the previous year. The average cost of each witness dieted by the police was 4 annas, as compared with 3 annas and 11 pies in

the preceding year. The rates vary from 12 annas and 5 pies in Jhelum to 1 anna and 11 pies in Simla. The high rate in the Jhelum District is said to be due to the long distances many of the witnesses had to be brought; and this probably accounts for the comparatively high rate in the Bannu District. The average amount of expenses paid by Magistrates is one pie lower than in the previous year, the rates being highest in Simla, where, however, the number of witnesses who received diet money was small; in Jhelum, where the long detentions must have contributed to this result; and in Montgomery, where an increase from 8 annas and 2 pies to Re. 1-1-3 has been left unnoticed. In the Ludhiána District, 84 per cent. of the witnesses examined appear to have been dieted, a percentage which seems to argue unnecessary liberality. On the other hand, it seems probable that in the districts noted in the margin, in which the percentages range from 2 to 17, witnesses cannot always have received the allowances to which they were entitled under the rules. In Simla the percentage is also low (7), but in this case the low percentage can be accounted for by the peculiar circumstances of the district.

Peshâwar, Bannu, Shahpur, Hissar and Jhelum.

101. Sheriffs' establishments served 88,325 criminal processes during the year under report, as compared with 73,877 processes in the previous year. The rule is that all processes on which a fee is levied are to be served through the Sheriff's establishment, and this rule is said to be generally observed.

Service of processes by Sheriffs' establishments.

PART II.—PUNISHMENTS.

102. The total number of persons punished by the Criminal Courts of the Punjab during 1881 was 84,630, as compared with 84,006 in 1880. In the year under report, 906 of the persons punished had been once previously convicted, and 368 more than once. In the previous year, 995 persons were punished on a second conviction, and 370 had been more than once previously convicted.

Total number of persons punished.

103. The punishments awarded by the different classes of Courts during the past and the previous year are given below :—

Comparison of punishments inflicted in 1880 and 1881.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
			PERSONS SENTENCED TO															
				TRANSPORTATION			IMPRISONMENT				WHIPPING		FINE		PERSONS ORDERED TO FIND OR GIVE			
							Rigorous											
CLASS OF TRIBUNAL.	Year.	Total number of persons punished.	Death	For life	For a term.	Penal Servitude	With solitary confinement	Without solitary confinement	Simple	Forfeiture of property	In addition to other punishment	In lieu of other punishment	With imprisonment	Without imprisonment	Security to keep the peace	Recognizance to keep the peace	Sureties for good behaviour	Punished otherwise
Magistrates' Courts	1880	83,549	1	..	9	..	10,329	6,092	628	1	508	3,086	11,356	50,956	3,776	2,401	6,263	9
	1881	83,747	..	..	..	..	9,894	5,485	758	..	467	2,864	11,110	51,265	4,836	2,433	6,388	22
Sessions Courts	1880	454	147	120	2	..	122	57	..	11	2	1	51	8	2	..	..	..
	1881	762	..	118	31	..	448	119	7	23	29	2	251	21	..	..	18	..
Chief Court	1880	3	..	..	..	..	1	2	..	..	..	..	..	..	..	..	..	..
	1881	121	81	31	..	2	..	7	..	..	..	..	4	..	..	..	..	..
TOTAL ..	1880	84,006	148	120	11	..	10,451	6,151	628	12	510	3,087	11,407	50,959	3,778	2,401	6,263	9
	1881	84,630	81	149	31	2	10,340	5,611	765	23	496	2,868	11,365	51,286	4,836	2,433	6,406	22

In explanation of the differences between the figures of the two years, it must be pointed out that punishments sanctioned in cases referred under Sections 36 and 507 of the Criminal Procedure Code appear in the former year against Courts of Magistrates, and in the latter against Courts of Session; also that the death sentences which appear against Courts of Session in the statistics for 1880 include sentences which were subsequently not confirmed by the Chief Court, whereas in the year under report the punishments finally awarded after the disposal of the references are shown against the Chief Court.

Proportions in which punishments were awarded.

104. The proportions in which the various punishments were awarded in each year appear from the following table:—

Punishment.	1880.		1881.	
	Number.	Per-centage.	Number.	Per-centage.
Death	148	0·2	81	0·1
Transportation for life	120	0·1	149	0·2
Transportation for a term	11	...	31	...
Penal servitude	...	...	2	...
Imprisoned and fined	11,407	13·6	11,365	13·4
Imprisoned and whipped	510	0·6	496	0·6
Imprisoned only	5,313	6·3	4,855	5·7
Whipped only	3,087	3·7	2,668	3·2
Fined only	50,959	60·7	51,286	60·6
Ordered to find security to keep the peace	3,778	4·5	4,836	5·7
Ordered to enter into recognizance to keep the peace	2,401	2·9	2,433	2·9
Ordered to find security for good behaviour	6,263	7·4	6,406	7·
Punished otherwise	9	...	22	...
Total ...	84,006	...	84,630	...

Death sentences.

105. The difference between the two years in the number of death sentences is, as has been just pointed out, for the most part, nominal. Fewer persons were, however, sentenced to death by Courts of Session in the latter year, the number being 136 as against 148 in 1880.

Sentences of transportation for life.

106. Of the 149 sentences of transportation for life, 118 were passed by Courts of Session and 31 by the Chief Court in commutation of death sentences.

Penal servitude.

107. The two sentences of penal servitude were passed by the Chief Court on European British subjects.

Imprisonment.

108. The total number of persons sentenced to imprisonment in 1880 was 17,230. Last year the number was 16,716. The sentences were for the following terms:—

Not exceeding 15 days,	1,567, or 9	per cent.
„ „ 6 months,	8,949, or 54	„
„ „ 2 years,	5,368, or 32	„
„ „ 7 years,	805, or 5	„
Above 7 years,	27.	

In the previous year, 64 per cent. of the sentences did not exceed 6 months, and 31 per cent. ranged between 6 months and 2 years.

Rigorous imprisonment and solitary confinement.

109. Of the persons punished with imprisonment, 15,951, or 95 per cent., were rigorously imprisoned, and of these 65 per cent. were also sentenced to terms of solitary confinement. In the preceding year solitary confinement was included in 63 per cent. of the sentences of rigorous imprisonment.

Forfeiture of property.

110. Sentences of forfeiture of property were passed upon 11 persons by the Derajat Court of Session, and on 8 persons by the Hissar Court. The Sessions Judges of Delhi and Peshawar also each passed two sentences of this description.

Whipping.

111. Fewer sentences of whipping were passed in 1881 than in the previous year, both as sole and as an additional punishment. The decrease under both heads is probably partly due to there having been fewer cases in the latter year in which the punishment could be legally or appropriately awarded. So many Magistrates, however, never inflict the punishment under any circumstances, and the views of Magistrates who do award the punishment differ so widely as to the cases in which it is a suitable punishment, that no very distinct reason can be assigned for fluctuations under this head. Of the 2,668 persons who were sentenced to whipping, only, 371 were juveniles. The following table gives further particulars regarding the sentences passed in each of the two years :—

	1880	1881
10 stripes and under ... ,, ...	926	699
Between 10 and 20 stripes	1,694	1,465
Between 20 and 30 stripes	977	1,000

Fines.

112. Altogether, 62,051 persons, or 74 per cent. of the total number punished, were sentenced to pay fines, either in addition to, or in lieu of, other punishment. Of the fines imposed—

49,377, or 79	per cent., did not exceed	... ...	Rs. 10
11,480, or 18	„ „	... ...	„ 50
1,224, or 2	„ „	... ...	„ 100
570, or 1	„ exceeded	... ...	„ 100

In the previous year 81 per cent. of the fines did not exceed Rs. 10.

Amounts imposed and realized, and awarded and paid away in compensation.

113. The total amount of fines imposed and realized, and of compensation awarded and paid away, during the two last years is exhibited below—

	Fines.			Compensation.		
	Imposed.	*Realized.*	*Percentage.*	*Awarded.*	*Paid.*	*Percentage.*
	Rs.	Rs.		Rs.	Rs.	
1880 ...	6,40,175	4,85,212	75	1,26,560	73,636	58
1881 ...	6,80,355	4,97,993	73	1,01,282	54,516	54

Of the amount imposed in 1881, Rs. 22,648 were imposed by Courts of Session and Rs. 350 by the Chief Court. The realizations of 1880 include Rs. 91,495, and those of 1881 Rs. 95,401, collected on account of fines imposed in previous years. Similarly, the sums paid in compensation include sums paid on account of awards of former years.

Fine operations of the past two years compared.

114. In the following statement, which gives further details regarding the fine operations of the past two years, realizations on account of previous years are excluded.

1	2	3		4		5		6		7	
Division.	District.	Total number of persons fined.		Total amount of fines imposed.		Average amount of fine per head.		Percentage of fine realised.		Percentage of fine imposed ordered to be paid in compensation.	
		1880.	1881.	1880.	1881.	1880.	1881.	1880.	1881.	1880.	1881.
Delhi.	Delhi	1,763	1,009	17,165	14,436	9	8	52	65	24	6
	Gurgaon	1,533	1,304	10,400	7,883	6	5	64	67	3	8
	Karnál	782	1,156	7,978	7,035	10	6	38	57	11	11
	Sessions Court	1	16	100	1,615	100	101	...	19	...	6
Hissar.	Hissar	1,347	1,467	13,184	11,264	9	8	52	63	18	12
	Rohtak	1,200	1,542	11,613	12,528	9	8	61	79	13	13
	Sirsa	663	573	8,451	7,204	12	13	57	49	12	19
	Sessions Court	...	38	...	3,326	...	88	...	6	...	8
Umballa.	Umballa	1,809	1,989	18,495	20,061	10	10	62	49	17	19
	Ludhiána	1,933	1,506	11,716	14,940	6	10	59	72	11	6
	Simla	2,593	2,489	6,608	7,326	2	3	80	75	6	21
	Sessions Court	1	5	1,000	500	1,000	100	...	9	...	...
Jullundur.	Julluudur	2,214	2,785	11,463	13,452	5	5	61	58	21	19
	Hoshiárpur	1,577	1,356	10,941	12,011	6	9	64	61	13	9
	Kángra	2,565	2,574	12,016	14,268	4	5	82	86	13	17
	Sessions Court	5	14	660	560	132	40	...	...	...	...
Amritsar.	Amritsar	2,636	2,146	29,476	19,103	11	9	54	58	19	23
	Gurdáspur	1,800	1,503	15,020	12,885	8	8	52	58	8	14
	Siálkot	1,894	1,987	17,304	19,143	9	10	52	67	13	12
	Sessions Court	10	9	1,390	680	139	76	...	4	...	44
Lahore.	Lahore	2,814	3,834	41,796	58,728	14	15	47	31	19	13
	Gujránwála	2,072	1,568	18,153	10,708	8	7	44	53	9	8
	Ferozepore	3,263	2,530	23,117	19,359	7	8	65	69	18	15
	Sessions Court	8	21	2,685	3,950	335	188	11	13	75	2
Rawalpindi.	Rawalpindi	5,791	5,169	54,968	47,662	9	9	65	67	23	9
	Jhelum	5,904	4,567	33,964	32,827	5	7	61	51	13	7
	Gujrat	1,120	1,051	14,521	16,351	12	10	53	43	10	8
	Shahpur	1,477	1,642	18,766	17,255	12	11	69	55	5	11
	Sessions Court	...	60	...	4,130	...	69	...	5	...	7
Multan.	Mooltan	2,229	2,394	16,121	17,586	7	7	70	65	4	4
	Jhang	729	937	9,735	17,299	13	18	40	35	12	9
	Montgomery	810	838	10,394	10,081	12	12	35	46	2	6
	Muzaffargarh	985	1,228	10,206	13,880	10	11	69	69	9	11
	Sessions Court	3	30	310	1,580	103	53	8	21	...	8
Derajat.	Dera Ismail Khan ...	809	954	15,974	14,400	19	15	62	64	42	29
	Dera Gházi Khan ...	1,325	1,345	20,871	25,359	15	19	81	71	37	31
	Bannu	1,491	1,609	30,300	33,616	20	21	88	86	33	29
	Sessions Court	17	46	1,075	2,200	63	48	...	70	2	12
Peshawar.	Peshawar	2,348	2,953	49,105	48,671	20	16	62	71	45	23
	Hazára	1,557	1,689	24,029	27,183	15	16	64	66	4	11
	Kohát	1,279	1,221	46,955	52,903	36	44	65	59	24	19
	Sessions Court	9	33	1,150	4,107	127	124	6	37	8	17
	Total { District Courts	62,312	62,375	6,40,805	6,57,357	10	10	61	65	19	15
	Total { Sessions Courts	54	272	8,370	22,648	155	83	9	21	25	9

In District Courts the mean incidence was Rs. 10 in both years. In the Frontier Districts, where the fines imposed by Councils of Elders swell the averages, Kohát is conspicuous for an average of Rs. 44. The remarks of the Deputy Commissioner on this subject have already been quoted at length. In Cis-Indus Districts, the average of incidence is highest in Jhang and Lahore, which are also the districts where the realizations are least favorable. The provincial percentage of realizations in District Courts has risen from 61 to 65, being highest in the Kángra, Bannu, Rohtak and Simla Districts.

In Sessions Courts the average of incidence is considerably lower in the past than in the previous year, owing, no doubt, to the inclusion in the latter year only of fines sanctioned in sentences referred for confirmation by Magistrates of Districts. The improvement in the percentage realized is probably partly due to the same cause, and partly, perhaps, to Sessions Judges having been specially addressed on the subject last year. As, however, was remarked in the Court's last report, a large percentage of the fines of Sessions Courts is seldom recovered during the year in which the fines are imposed. Thus, in 1881, although only Rs. 4,701 were realized out of Rs. 22,648 imposed, Rs. 4,757 were also recovered on account of fines imposed

in previous years, and the total recoveries, therefore, bear a proportion of 42 per cent. to the amount imposed, notwithstanding that the recoveries on account of previous years' fines are only recoveries on account of fines imposed in Sessions trials, whereas the sum with which the total recoveries of the year are compared includes, as has been already stated, fines confirmed in references.

The proportion of fines awarded in compensation has fallen both in District Courts and Courts of Session, and the proportion actually paid is also lower by 4 per cent. than in the previous year. It appears that one of the reasons why so small a proportion of the sums adjudged to complainants is actually paid to them is that intimation is not always given to the party concerned when a fine is realized from which compensation is payable. The giving of such intimation is expressly provided for in paragraph 20 of Judicial Circular No. LI, and care should be taken that the rule is duly complied with in future.

Working of Judicial Circular No. LI.

115. Reports on the practical working of the circular above mentioned were received and considered by the Judges during the past year. They showed that the rules were, on the whole, working smoothly and satisfactorily, though in some districts there had been irregularities in the maintenance of the prescribed registers. Commissioners and Deputy Commissioners have been requested to continue to give their attention to the subject and to specially notice it in their Inspection Reports for the current year.

PART III.—APPELLATE JURISDICTION OF COURTS SUBORDINATE TO THE CHIEF COURT.

A.—District Courts.

Number of appeals instituted.

116. During the year under report, 45,913 sentences were passed from which an appeal lay to a District Court, and 4,191 persons appealed to such Courts. Thus, the ratio of persons appealing to persons having a right to appeal was 9·1 per cent. Excluding the Simla District, where none of the 8 persons who might have appealed to the Magistrate of the District exercised the right, the ratio varies from 26 per cent. in Jhang to 1 per cent. in the Kohát District. In previous years the comparison has been made between cases disposed of by Subordinate Magistrates and appeals filed in District Courts. The revised returns now allow of a more accurate comparison being made as above.

Number for disposal, disposed of and pending.

117. The number of appeals for disposal, disposed of and pending in Magistrates' Courts during the past two years was as follows:—

	For disposal.		*Disposed of.*		*Pending.*	
	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.
1880	... 2,272	4,172	2,182	4,015	90	157
1881	... 2,421	4,348	2,343	4,203	78	145

The figures show that 97 per cent. of the cases for disposal in 1881 were disposed of during the year, as against 96 per cent. in the previous year.

The heaviest pending file was in the Hoshiárpur District, where 26 cases, affecting 43 persons, remained undisposed of at the end of 1881. It is explained, however, that 16 of these appeals were filed during the last five days of the year.

Only 6 appeals throughout the Province had been pending for more than a month when the year closed. The oldest of these was instituted on the 8th August 1881 in the Court of the Deputy Commissioner of Hoshiárpur. Mr. Coldstream explains that the case was one of trespass under the Forest Law in which important civil rights were involved, and that he therefore reserved giving judgment until he could visit the spot.

Average duration of appeals.

118. The mean duration of appeals in Magistrates' Courts was 11 days, as in the previous year. This average was greatly exceeded in the Amritsar, Jhelum and Bannu Districts where appeals lasted, on an average, 25, 24 and 20 days, respectively. In the Amritsar District the delays occurred in

the earlier part of the year when Mr. Hawkins had charge of the district. The high average in the Jhelum District is said to be principally due to changes of Judicial Assistants, and might therefore have been avoided if the Deputy Commissioner had taken up a larger share of the criminal appeals himself. The high average in the Bannu District is explained to be due to it having been necessary to send back for further enquiry 29 cases in which persons were punished for injuring the irrigation works of a single complainant. Excluding these cases, Mr. Udny says the average was 6 days only. In none of the sixteen districts named in the margin did the average exceed a week.

Delhi, Gurgaon, Karnál, Hissar, Rohtak, Sirsa, Ludhiána, Siálkot, Ferozepore, Gujrat, Shahpur, Montgomery, Dera Ismail Khan, Dera Gházi Khan, Pesháwar, Hazára.

Details of disposal.

119. The agency employed in each district in the disposal of appeals, and the results, as regards appellants, are shown in the following statement:—

Districts.		1	2	3	4	5	6	7	8	9	10	11
		Appeals disposed of						Percentage of persons whose				
		By Deputy Commissioner.		By Judicial Assistant.		By Assistant or Extra Assistant Commissioner.						
		Cases.	Persons.	Cases.	Persons.	Cases.	Persons.	Appeals were rejected.	Sentences were confirmed.	Sentences were enhanced.	Sentences were reduced or otherwise altered.	Sentences were reversed or a new trial ordered.
Delhi		74	161	...	...	...	...	31	19	...	14	36
Gurgaon		45	115	...	...	...	...	24	23	3	37	13
Karnál		56	80	...	...	...	...	57	10	5	5	23
Hissar		40	64	...	...	...	...	42	2	2	17	37
Rohtak		114	213	...	...	...	...	2	35	1	23	39
Sirsa		27	47	...	...	...	...	34	19	2	15	30
Umballa		34	44	13	23	...	...	67	2	...	15	16
Ludhiána		114	273	2	3	...	...	34	28	2	8	28
Simla		...	...	...	...	...	...	...	...	...	...	...
Jullundur		114	191	...	...	...	...	5	40	6	15	34
Hoshiárpur		109	261	5	5	...	...	39	10	...	13	38
Kángra		58	78	1	1	8	9	53	15	...	9	23
Amritsar		90	177	...	...	...	...	11	38	2	16	33
Gurdáspur		80	124	3	3	...	...	54	16	...	15	15
Siálkot		102	186	...	...	..	...	6	45	4	16	29
Lahore		89	135	...	...	...	...	4	44	...	27	25
Gujránwála		68	107	10	10	...	...	13	46	1	19	21
Ferozepore		62	100	31	55	...	...	37	32	11	13	7
Rawalpindi		195	317	1	1	...	...	1	50	2	9	38
Jhelum		104	195	112	221	...	...	8	62	1	5	24
Gujrat		81	181	...	...	...	...	27	40	2	2	29
Shahpur		51	89	26	55	...	...	9	33	2	25	31
Mooltan		60	99	21	36	...	...	43	6	3	20	28
Jhang		126	215	...	...	...	...	28	17	8	21	26
Montgomery		35	60	...	...	...	...	17	45	8	7	23
Muzaffargarh		29	30	...	...	...	...	20	60	14	3	3
Dera Ismail Khan		24	24	...	...	...	...	17	46	...	8	29
Dera Gházi Khan		26	41	10	12	2	11	50	22	...	22	6
Bannu		7	18	53	71	5	5	19	35	2	12	32
Peshávar		11	18	2	16	...	...	47	18	23	...	12
Hazára		9	18	...	...	...	...	33	28	11	6	22
Kohát		4	5	...	...	...	...	...	20	...	20	60
Total	1881	2,038	3,666	290	512	15	25	23	32	3	14	28
	1880	1,922	3,567	234	412	26	30	25	31	2	15	27

The statement shows that only in the seven districts noted in the margin was any considerable share of criminal appeals made over to the Judicial Assistant. The Deputy Commissioner of Jhelum only disposed of 104 out of 216 appeals. Colonel Parsons was requested towards the close of the year to retain all criminal appeals in his own Court, and has since done so. The Deputy Commissioner of Bannu states that he only took up selected appeals, but does not say on what principle he made the selection or why he practically left almost the whole of the criminal appellate work of his district to his subordinates. It was only during the three months that Mr. Drummond held charge of the Ferozepore District that the

Jhelum, Bannu, Ferozepore, Umballa, Shahpur, Mooltan, Dera Gházi Khan.

Judicial Assistant took up criminal appeals. The Deputy Commissioner of Umballa reports that he has lately been disposing of all the criminal appeals of his district himself. The Commissioner expresses his doubts as to whether he is not overtaxing himself by doing so. An average of 4 appeals a month can hardly, however, be a severe strain on the Deputy Commissioner or occupy much of his time. The reasons why the Judicial Assistants of the other three districts named were employed somewhat largely in the disposal of criminal appeals are not given, and the Judges are not aware of any special circumstances which necessitated their employment in this way.

According to the figures in the table, the petitions of 23 per cent. of those who appealed to District Courts were rejected summarily, and the sentences passed on another 32 per cent. were confirmed after the appeals had been admitted and notice issued to the appellants under Section 279 of the Criminal Procedure Code. The total percentage of unsuccessful appellants thus obtained (55) is, no doubt, correct, but from remarks in the local reports it would seem that some of the persons shown in column 8 should properly have been entered in column 7. Enquiries are being made on the subject.

A larger percentage of sentences was enhanced in 1881 than in the previous year. The proportion was as high as 23 per cent. in Pesháwar, and the power was also freely used in the Muzaffargarh, Ferozepore and Hazára Districts. In the Pesháwar District, not quite 2 per cent. of those who might have appealed to the Magistrate of the District did so appeal, and, as the Sessions Judge observes, the fact that in one case out of four the institution of an appeal resulted in the punishment being enhanced must have had a somewhat discouraging effect on would-be appellants. It will be remembered that Ferozepore and Hazára are two of the districts in which it has been pointed out that the Tahsíldárs took up too large a share of warrant cases, with the result, as it now appears, that the Appellate Court had often to exercise functions which would more appropriately have been exercised by the Court of first instance, while, of course, the presumption arises that there must have been many other cases in which the punishments were inadequate but were not appealed against. The power of enhancing a sentence on appeal has been withdrawn by the new Code of Criminal Procedure.

The provincial percentage of reversals has increased from 27 to 28. In both years it was highest in Kohát, but in this district the number of persons who appealed is so small that the percentage can hardly be taken as a real test of the character of the work performed by the Courts concerned. The percentage was also high in Rohtak (39), Hoshiárpur (38), and Rawalpindi (38). The Deputy Commissioner of Rohtak explains that the work of two particular Tahsíldárs required to be largely interfered with. No reason is assigned for the high percentages in the other two districts.

Applications for revision.

120. Magistrates of Districts also disposed of 403 applications for revision during the year. The applications of 300 persons were rejected, in 43 cases the Magistrate of the District ordered the commitment of the case or directed a fresh enquiry to be made into a complaint which had been summarily rejected, and the cases of 60 persons were reported to the Chief Court.

B.—Courts of Session.

Number of persons who appealed to Courts of Session.

121. Altogether, 11,271 sentences were passed in 1881 from which an appeal lay to the Court of Session and 3,565 persons availed themselves of the right. Thus, the ratio of appellants to appealable sentences was 32 per cent. for the Province. The district ratios vary from 77 per cent. in Shahpur to 8 per cent. in Ferozepore.

122. Full particulars regarding the appellate work of Courts of Session are given in the table below, to which the totals of the previous year have been added for purposes of comparison:—

Particulars of disposal.

DIVISION.	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26
	FOR DISPOSAL.						DISPOSED OF.																		
	Pending from last year.		Instituted during the year.		Total.		PERSONS.										TOTAL.				Pending at the end of the year.		Average duration of appeals.	Number of appeals pending more than one month.	Date of oldest case pending.
							Died, escaped, or transferred to another Court.	Appeals rejected otherwise than on the merits.	Appeals rejected under Section 278, C. P. C.		Sentences confirmed after hearing under Section 280, Criminal Procedure Code.	Sentences enhanced.	Sentences reduced or order otherwise altered.	Sentences reversed.	Proceedings quashed under Section 284, Criminal Procedure Code.	New trial ordered.	After directing further inquiry under Sec. 282, C. P. C.		Without directing further inquiry.						
	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.			Without calling for files.	After perusal of files.							Cases.	Persons.	Cases.	Persons.	Cases.	Persons.			
Delhi ...	...	...	220	294	220	294	...	1	...	108	56	2	32	94	...	..	20	24	190	269	1	1	12	...	21-12-81
Hissar ...	8	14	166	230	174	244	1	1	3	...	134	3	42	31	...	...	6	11	165	229	3	4	19	...	12-12-81
Umballa ...	4	4	359	384	363	388	...	11	64	156	108	5	9	32	...	...	7	7	353	378	3	3	8	...	17-12-81
Jullundur	1	1	171	215	172	216	...	3	1	...	119	12	14	59	...	8	2	2	170	214	...	...	7	...	...
Amritsar ...	9	12	241	288	250	300	...	2	30	...	171	6	21	54	...	...	9	11	226	273	15	16	19	3	22-10-81
Lahore ...	14	16	236	249	250	265	1	5	17	55	101	4	15	36	1	17	21	23	217	230	12	12	26	3	27-10-81
Rawalpindi	2	2	584	789	586	791	3	6	172	129	244	17	52	153	...	6	27	32	553	750	6	9	4	3	17-11-81
Mooltan ...	38	38	418	455	456	493	...	34	10	160	133	7	52	72	7	...	21	22	426	462	9	9	25	2	9-11-81
Derajat ...	5	6	348	367	353	373	...	15	17	227	47	6	19	27	...	...	2	2	338	356	13	15	27	2	23-11-81
Peshawar...	7	13	224	294	231	307	...	4	38	75	85	6	28	62	...	...	6	12	215	284	10	11	16	1	26-10-81
Total (1881	88	106	2,967	3,585	3,055	3,671	5	80	352	919	1,918	74	264	620	8	31	121	146	2,862	3,445	72	80	18	14	22-10-81
Total (1880	50	59	2,770	3,130	2,820	3,189	54		252	1,260	700	34	211	571	1	..	125	136	2,607	2,947	88	106	18	12	20-10-80

It will be seen that there was an increase of 235 in the number of appeals for disposal during 1881, and of 251 in the number disposed of. No Court was heavily in arrears at the end of the year. Only 14 appeals in all had been pending for more than a month, and no appeal for more than three months. The average duration was 18 days, as in the previous year, being highest in the Derajat Court and lowest in the Umballa and Jullundur Courts. These results seem generally satisfactory.

Results to appellants.

123. To turn to results to appellants, they stand thus for the two years—

	1880	1881
Percentage of orders upheld ...	73	72
„ „ enhanced ...	1	2
„ „ reduced or modified...	7	8
„ „ reversed or quashed...	19	18

The Sessions Judge of Delhi upset 33 per cent. of the sentences appealed to his Court. In the Derajat Court only 8 per cent. of those who appealed succeeded in getting their sentences annulled.

Revision.

124. Three hundred and ten applications for revision were also dealt with by Courts of Session during the year. The Court in 9 cases directed accused persons to be committed for trial or ordered a fresh enquiry to be made into a rejected complaint, and reported the cases of 64 persons for the orders of the Chief Court. The applications of 237 persons were rejected.

PART IV.—CRIMINAL BUSINESS OF THE CHIEF COURT.

Original trials.

125. The Chief Court held 9 trials during the year in the exercise of its original jurisdiction, with the results noted below—

No.	Name of accused.	Section of Indian Penal Code or other Act under which charged.	Acquitted or discharged.	Convicted.	Sentence on conviction.
1	(1) John Westwell	304	1	...	
	(2) George Smith	109—304	1	...	
2	Daniel O'Brien	302	...	1	Penal servitude for life.
3	Michael Logan	302	1	...	
4	John Furmage	302	...	1	Penal servitude for life.
5	James Rice	304	1	...	
6	William Charles Kidd ...	409 and Sec. 50 of Act 14 of 1866	...	1	Two years and 3 months' rigorous imprisonment.
7	James Smith	308	...	1	Five years' rigorous imprisonment.
8	Murtagh Higgins	307 and 324	1	...	
9	John O'Brien	307	1	...	

In the second case in the list the prisoner was convicted on his plea of guilty. The other cases were tried with a jury, and in every case the judge approved of the verdict returned by the jury.

References.

126. The following figures show the number of cases dealt with by the Court as a Court of reference during the past two years :—

Year.	For Disposal.		Disposed of						Pending at the end of the year.		Average number of days each case lasted.
			Persons				*Total.*				
	Cases.	Persons.	Whose sentences were confirmed.	Whose sentences were modified.	Acquitted.	Whose cases were remanded for further investigation.	Cases.	Persons.	Cases.	Persons.	
1880 ...	107	149	91	38	10	1	101	140	6	9	43
1881 ...	114	164	81	34	18	...	99	133	15	31	35

It will be noticed that a smaller proportion of sentences was confirmed in the past than in the previous year.

Appeals.

127. The criminal appellate business of the Court has increased considerably during the past three years. Last year, 714 appeals were filed, as compared with 645 appeals in 1880 and 631 appeals in 1879. Forty per cent. of the appeals in 1881 were against orders passed by Courts of Session and 60 per cent. against sentences passed by Magistrates of Districts in the exercise of their enhanced powers. The corresponding proportions in 1880 were 54 and 46 per cent., and in the preceding year 42 and 58 per cent., respectively.

Including cases brought forward from the previous year, 802 petitions of appeal, affecting 958 persons, came before the Court during the year under report. Of these, 693 cases, affecting 827 persons, were decided during the year, with results to the appellants as under—

	Number of persons.	*Proportion to total number disposed of.*
Appeals rejected	319	38·6
Sentences confirmed	236	28·5
„ enhanced	6	0·7
„ modified	163	19·7
„ annulled	103	12·5

These results are not markedly different from those of the previous year, in which exactly the same proportion of appeals was dismissed. In 1880, however, 22·4 per cent. of the sentences were modified, and only 10·3 per cent. set aside entirely. One appeal was instituted by Government last year against an order of acquittal passed by the Sessions Judge of Hissar on an appeal from a conviction under the Inland Customs Act of 1875. The order of acquittal was set aside and a fresh trial ordered. The average duration of appeals in the Chief Court was 49 days in the past, as compared with 42 days in the previous, year.

One hundred and nine appeals, in which 131 persons were interested, were pending at the end of the year. The oldest of these appeals was instituted on the 23rd June 1880 from an order passed by the Magistrate of the Ferozepore District. First of all, delay was occasioned by the sentences, which required confirmation by the Sessions Judge, not being confirmed until December 1st, 1880. Subsequently, the case had on three separate occasions to be remanded to the Lower Court, and on the last occasion very great delay occurred in complying with the Court's order of remand. A return was at last received on the 13th February last, and the appeal was finally disposed of on the 23rd idem.

Revision cases.

128. There has also been a large increase in the business dealt with by the Court under its powers of revision, as will appear from the following figures:—

Year.	Remaining from previous year.		Instituted.		Decided.		Pending.	
	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.
1880 ...	63	124	803	1,145	768	1,128	98	141
1881 ...	98	141	961	1,726	954	1,650	105	217

The results of the proceedings in each year were—

	1880		1881	
	No.	Percentage.	No.	Percentage.
Applications rejected ...	598	53	903	55
Orders confirmed ...	146	13	273	16
Sentences enhanced ...	32	3	22	1
„ modified ...	78	7	91	6
Orders reversed or quashed ...	274	24	361	22

The average duration of revision cases was 34 days in 1881 and 29 days in 1880.

PART V.—SUPERINTENDENCE.

Supervision of Sessions Judges and Magistrates of Districts.

129. The supervision exercised by Sessions Judges and Magistrates of Districts over their Subordinate Courts has been generally satisfactory. The usual inspection reports were received during the course of the year, and the special acknowledgments of the Court were conveyed to the officers noted in the margin for the thorough manner in which they had conducted and reported on their inspections. These officers, with others, among whom Major Gordon Young and Messrs. Benton, Bullock and Coldstream may be particularized, also rendered valuable assistance to the Court by their careful reviews of the statements of judicial work which are periodically submitted for the Court's inspection.

Colonel Davies, C. B, I., Colonel McMahon, Colonel Minchin, Mr. Barney, Col. Harcourt, Mr. Frizelle, Mr. Thorburn, Major Macaulay.

Inspections by Chief Court.

130. All the Courts at Delhi were inspected by Mr. Justice Smyth in October last.

I have the honor to be,

Sir,

Your most obedient servant,

G. W. RIVAZ,

Registrar, Chief Court, Punjab.

STATEMENT No. 1.

STATEMENT SHOWING THE NUMBER OF OFFICERS EXERCISING JURISDICTION IN CRIMINAL CASES IN THE PUNJAB ON THE LAST DAY OF THE YEAR 1881 AND THE WORK DONE DURING THE YEAR.

1	2	3	4	5	6	7
Class of Court.	Number of Officers.		Number of cases decided.			
			Original.		*Appeal.*	
	European.	Native.	Regular.	Miscellaneous.	Regular.	Miscellaneous.
I.—Magistrates.						
Special Magistrates	35	11	5,448	2,470	...	...
Honorary Magistrates sitting singly { 2nd and 3rd class	...	44	3,406	720	...	...
Honorary Magistrates sitting singly { 1st class	1	8	1,806	258	...	...
Benches of Magistrates	...	20	8,518	1,310	...	...
Stipendiary Magistrates other than Chief Magistrates of Districts. { 2nd and 3rd class	9	184	29,924	15,890	...	...
Stipendiary Magistrates other than Chief Magistrates of Districts. { 1st class	43	64	30,365	28,424	305	...
Chief Magistrates of Districts...	32	...	4,417	15,752		60
Total	120	331	83,884	64,854	2,343	60
II. Courts of Session	13	...	707	36	2,983	10
III. Chief Court	4	...	108	...	693	20
GRAND TOTAL ...	137	331	84,699	64,890	6,019	90

Note.—Special Magistrates in this Statement, and Statements 4 and 5, include Cantonment and Assistant Cantonment Magistrates.

STATEMENT No. 2.

STATEMENT OF OFFENCES REPORTED AND OF PERSONS TRIED, CONVICTED AND ACQUITTED OF EACH CLASS OF OFFENCE IN THE PUNJAB IN THE YEAR 1881.

1	2	3	4	5	6	7	8	9	10	11	12
DESCRIPTION OF OFFENCE.	Offences reported.	Complaints rejected under Section 147, Criminal Procedure Code.	Other cases struck off as false.	Balance of cases returned as true.	Number of cases brought to trial during the year.	PERSONS. Under trial during the year.	Discharged in consequence of the non-appearance of the complainant or the withdrawal of the complaint.	Acquitted or discharged on other grounds.	Convicted.	Died, escaped, transferred to another Province, or trial postponed in consequence of insanity	Remaining under trial at the close of the year.
A.—Offences under the Penal Code.											
Offences against the State. — Chap. VI. Sections 121 to 130	3	...	...	3	3	5	...	...	4	...	1
Offences against the Army and Navy. — „ VII. „ 131 to 140	2	...	...	2	2	2	...	1	1	...	...
Offences against the public tranquillity. — „ VIII. „ 143 to 145, 149 to 151, 157, 158. Unlawful assembly	41	7	...	34	34	343	4	112	227	...	...
„ 147, 148, 152, and 153 to 156. Rioting, &c.	708	204	10	494	459	4,965	78	1,547	3,203	2	138
„ 160, Affray	212	15	...	197	198	1,056	110	195	749	...	2
Offences by or relating to public servants. — „ IX. „ 161 to 169. By public servants ...	174	48	...	126	123	165	9	81	70	...	5
„ 161, 170 and 171. Relating to public servants	149	50	2	97	93	144	12	88	36	...	8
Contempts of the lawful authority of public servants. — „ X. „ 172 to 190	1,317	121	...	1,196	1,153	2,244	85	809	1,292	2	56
False evidence and offences against public officers. — „ XI. „ 193 to 200. False evidence or subornation, &c., of public servants...	289	29	...	260	261	469	9	237	193	1	29
„ 201 to 229. Offences against public justice	870	130	1	739	728	1,143	43	439	642	6	13
Offences relating to coin and Government stamps. — „ XII. „ 231 to 254. Offences relating to coin	196	23	1	172	170	206	...	68	130	...	8
„ 255 to 263. Offences relating to stamps	11	2	...	9	9	15	...	4	10	...	1
Offences relating to weights and measures. — „ XIII. „ 264 to 267	90	10	14	66	66	89	2	29	56	...	2
Offences affecting the public health, safety, convenience, decency and morals. — „ XIV. „ 269 to 278. Offences affecting public health	233	34	...	199	198	763	19	95	624	...	25
„ 279 to 289. Offences affecting safety.	124	22	3	99	99	213	7	60	146	...	...
„ 290 and 291. Ditto convenience ...	319	75	...	244	240	984	44	196	739	...	5
„ 292 to 294. Offences affecting decency and morals	22	6	...	16	16	35	1	8	26	...	...
„ 294A. Keeping lottery office or publishing proposals for lottery ...	1	...	...	1	1	3	2	...	1	...	...

Offences relating to religion ...	„ XV.	Sections 295 to 298		187	73	1	113	107	313	68	191	52	1	1
Offences affecting the human body.	„ XVI.	„ 302 and 303. Murder		356	9	22	325	298	639	...	338	178	9	114
		„ 307. Attempt at murder ...		76	...	7	69	57	95	1	61	25	1	7
		„ 304. Culpable homicide ...		123	3	6	114	96	225	...	71	143	1	10
		„ 304A. Causing death by rash or negligent act		65	2	3	60	61	86	...	28	49	...	9
		„ 308. Attempt at culpable homicide.		9	6	...	3	1	1	...	...	1	...	...
		„ 305 and 306. Abetment of suicide.		9	...	...	9	8	8	...	3	5	...	...
		„ 309. Attempted suicide ...		201	5	13	183	172	177	...	54	121	2	...
		„ 312 to 315. Causing miscarriage ...		57	21	2	34	29	53	...	27	20	...	6
		„ 316. Injury to unborn children ...		2	2	...	...	...	...	...	...	...	...	...
		„ 317. Exposure of infants ...		24	2	4	18	17	21	...	9	12	...	...
		„ 318. Concealment of birth by secret disposal of dead body ...		30	2	...	28	22	34	...	12	22	...	...
		„ 325 to 331 and 333. Hurt with aggravating circumstances ...		837	120	22	695	577	1,119	24	351	703	3	38
		„ 323, 324, 332, and 334 to 338. Other cases		4,662	1,369	25	3,277	3,149	7,171	1,808	2,307	2,993	3	60
		„ 341. Wrongful restraint ...		707	294	3	410	317	736	241	345	135	1	14
		„ 342 to 348. Wrongful confinement.		424	201	2	221	190	558	122	298	115	...	23
		„ 352 to 358. Criminal force or assault		29,633	8,246	19	21,368	19,470	46,052	28,050	10,649	6,653	11	689
		„ 364, 366, 367. Kidnapping or forcible abduction with aggravating circumstances		99	50	4	45	43	96	10	54	18	...	4
		„ 363, 365, 368, 369. Other cases ...		295	135	19	141	114	246	8	121	112	...	5
		„ 370, 371. Slavery		33	20	1	12	9	18	...	15	1	1	1
		„ 372 and 373. Buying or selling a minor for the purpose of prostitution		34	18	1	15	16	26	1	12	13	...	...
		„ 374. Forced labor		12	6	...	6	6	16	6	7	3	...	...
		„ 376. Rape		221	70	18	133	122	145	...	87	54	...	4
		„ 377. Unnatural offences ...		94	10	10	74	68	88	...	36	47	2	3
		„ 382. Theft with aggravating circumstances		35	4	...	31	25	45	...	25	19	...	1
		„ 379 to 381 and 401. Other cases...		14,741	2,699	364	11,678	7,500	10,984	132	2,920	7,732	37	163
		„ 386 to 389. Extortion with aggravating circumstances		13	11	...	2	2	3	...	2	1	...	...
		„ 384 and 385. Other cases ...		719	535	1	183	168	444	29	327	76	1	11
		„ 394 / „ 392 / „ 393 — *Robbery.* — With hurt ...		51	3	1	47	22	61	4	24	31	...	2
		„ 394 / „ 392 / „ 393 — *Robbery.* — Other cases ...		394	180	22	192	113	248	...	152	89	1	6
		„ 394 / „ 392 / „ 393 — *Robbery.* — Attempts ...		12	4	...	8	3	6	...	5	1	...	...
		„ 396 — *Dacoity.* — With murder ...		15	...	1	14	4	18	...	5	12	1	...
		„ 397 — *Dacoity.* — With attempt to cause death or grievous hurt.		5	1	...	4	5	7	...	5	1	1	...
		„ 398 — *Dacoity.* — Attempted robbery or dacoity when armed with deadly weapons...		4	...	...	4	1	32	...	9	22	1	...
		„ 395, „ 399, „ 400 & 402 — *Dacoity.* — Other cases... ...		50	...	3	47	20	71	...	42	26	3	...
		„ 403 and 404. Criminal misappropriation of property		928	508	4	416	409	680	51	291	323	...	15
		„ 406 to 409. Criminal breach of trust		1,075	414	26	635	588	807	44	396	396	5	26
		„ 411 to 414. Receiving or habitually dealing in stolen or plundered property ...		3,808	72	142	2,874	2,435	4 219	41	1,415	2,673	25	65
		„ 417 to 420. Cheating... ...		1,842	1,080	1	761	779	1,225	177	726	284	10	28
		„ 421 to 424. Fraudulent deeds or disposition of property ...		104	58	...	46	46	91	29	39	16	1	6

No. 2—*continued.*

1					2	3	4	5	6	7	8	9	10	11	12
DESCRIPTION OF OFFENCE.					Offences reported.	Complaints rejected under Sec. 147, Criminal Procedure Code.	Other cases struck off as false.	Balance of cases returned as true.	Number of cases brought to trial during the year.	PERSONS.					
										Under trial during the year.	Discharged in consequence of the non-appearance of the complainant or the withdrawal of the complaint.	Acquitted or discharged on other grounds.	Convicted.	Died, escaped, transferred to another Province, or trial postponed in consequence of insanity.	Remaining under trial at the close of the year.
A.—Offences under the Penal Code—concluded.															
Offences against property,—*concld.*	Ch. XVII.	Secs. 429 to 433 & 435 to 440	*Mischief.*	With aggravating circumstances	1,048	404	28	616	492	1,223	99	654	434	...	36
		„ 426 to 428 & 434.		Other cases ..	3,251	1,460	18	1,773	1,698	4,019	1,369	1,527	1,101	...	52
		„ 459 & 460		Resulting in death or grievous hurt	22	3	...	19	20	44	...	24	11	1	8
		„ 449 to 452, 454, 455, 457 & 458.	*Criminal trespass.*	For commission of serious offences ...	2,369	489	174	2,306	2,791	4,604	201	1,449	2,860	10	84
		„ 447, 448, 453, 456, 461 & 462.		Other cases ...	4,367	2,089	21	2,257	1,975	4,280	1,234	1,832	1,083	1	130
Offences relating to documents and to trade or property mark.	„ XVIII.	„ 465 to 471 and 474.		Forgery, or uttering or possessing forged documents or papers	197	110	...	87	85	139	2	81	33	...	23
		„ 472 to 476		—Counterfeiting or making or possessing a counterfeit seal, &c., for purposes of forgery ...	3	...	...	3	3	3	...	2	1	...	...
		„ 477		—Fraudulently destroying or defacing a will or other document ...	10	5	...	5	5	10	...	10	...	...	...
		„ 482, 486, 487 and 488		—Using a false trade or property mark, and knowingly selling property so marked...	6	3	...	3	3	4	...	3	1	...	...
		„ 483 to 485		—Counterfeiting or making or possessing a die plate, or instrument for counterfeiting a trade or property mark	20	13	...	7	6	12	8	4	...	...	...
		„ 489		—Removing, destroying, &c., a trade or property mark with intent to cause injury	23	16	...	7	7	19	12	2	5	...	...
Criminal breach of contracts of service.	„ XIX.	„ 490 to 492			111	60	...	51	50	163	51	43	69	...	...
Offences relating to marriage.	„ XX.	„ 493 to 498			7,073	2,774	10	4,289	4,175	6,232	1,334	3,816	810	35	237
Defamation.	„ XXI.	„ 500 to 502			418	171	...	247	247	456	166	196	90	...	4

Criminal intimidation, insult, or annoyance	„ XXII.	„ 506. The threat being to cause death or other grievous hurt ...	74	53	...	21	21	57	19	20	6	...	12
		„ 504 to 510. Other cases ...	1,011	373	2	636	633	1,068	336	484	233	3	12
B.—Offences under Special and Local Laws.													
Breach of laws relating to—													
Arms, Ammunition and Military Stores ...	Act XI of 1878 ...		295	5	8	282	275	361	...	82	277	...	2
Cantonments, Military ...	„ III of 1880 ...		3,881	...	...	3,881	3,882	6,212	11	512	5,686	...	3
City Chaukidars ...	„ XX of 1856 ...		84	8	...	76	76	158	...	35	123	...	...
Cattle Trespass ...	„ I of 1871 ...		1,498	338	3	1,157	1,137	3,409	1,785	825	730	2	67
Canals ...	„ VIII of 1873 ...		650	...	...	650	651	1,635	69	547	1,013	1	5
Civil Procedure ...	„ X of 1877 ...		19	...	...	19	19	35	...	19	16	...	...
Contract—Workmen ...	„ XIII of 1859 ...		702	162	...	540	538	1,930	1,253	583	64	1	29
Criminal Tribes and Eunuchs ...	„ XXVII of 1871 ...		512	1	2	509	484	667	...	54	612	1	...
Customs ...	„ VIII of 1875 ...		102	...	...	102	102	308	...	20	286	2	...
Excise on Spirits and Drugs ...	„ X of 1871 and XVI of 1863 ...		145	3	2	140	141	230	...	72	154	...	4
Ferries ...	„ XVII of 1878 ...		15	1	...	14	14	63	1	17	44	...	1
Forests ...	„ VII of 1878 ...		832	30	2	800	766	3,199	13	655	2,484	1	46
Glanders and Farcy ...	„ XX of 1879 ...		3	...	...	3	3	3	...	1	2	...	...
Gambling ...	„ III of 1867 ...		289	5	1	283	282	1,408	...	298	1,095	4	11
Hackney and Stage Carriages ...	„ XVI of 1861 & XIV of 1879 ...		70	...	...	70	70	121	...	25	96	...	...
Indian Census ...	„ XIV of 1880 ...		2	...	...	2	2	2	...	...	2	...	...
Municipalities ...	„ IV of 1873 ...		4,491	75	...	4,416	4,421	7,698	28	1,819	5,827	6	18
Mutiny Act ...	„ VII of 1867 ...		6	...	...	6	6	7	...	...	7	...	...
Murderous Outrages ...	„ XXIII of 1867 & IX of 1877 ...		1	...	...	1	1	1	...	...	1	...	...
Opium ...	„ X of 1871, XXVI of 1872 and XII of 1878 ...		239	7	...	232	235	398	17	126	232	2	21
Post Office ...	„ XIV of 1866 ...		5, 17	...	...	17	18	23	...	9	13	1	...
Police ...	„ V of 1861 ...		812	14	...	5,798	5,046	11,910	3	980	10,923	3	1
Prisons ...	„ XXVI of 1870 ...		40	1	...	39	39	53	...	7	46	...	...
Printing Presses ...	„ XXV of 1867 ...		1	...	...	1	1	3	...	2	1	...	...
Prostitutes ...	„ XXII of 1864 ...		295	87	...	208	208	317	...	90	226	...	1
Punjab Courts Act ...	„ XVII of 1877 ...		15	1	...	14	14	21	...	2	19	...	...
Punjab Laws Act ...	„ IV of 1872 ...		611	69	...	542	539	1,105	7	219	872	...	7
Railways ...	„ IV of 1879 ...		326	9	...	317	319	437	6	86	341	4	...
Registration ...	„ III of 1877 ...		3	...	...	3	3	6	...	1	5	...	...
Salt and Saltpetre ...	„ XXI of 1861, XIV of 1843, XXXVI of 1855 ...		13	...	...	13	13	37	...	2	35	...	...
Stamps ...	„ I of 1879 ...		138	3	...	135	135	250	...	66	180	...	4
Telegraphs ...	„ I of 1876 ...		1	...	...	1	1	1	...	1	...	...	...
Treasure Trove ...	„ VI of 1878 ...		8	...	...	8	7	28	...	...	28	...	...
Vagrancy, European ...	„ IX of 1874 ...		5	...	...	5	5	6	...	1	5	...	...
Wandering and Dangerous Lunatics ...	„ XXXVI of 1858 ...		2	1	...	1	1	1	...	1	...	...	...
Frontier Rules.													
Regulation I of 1872, Section 3.			1	...	...	1	6	4	...	...	4	...	...
Ditto ditto „ 4.			12	...	...	12	13	17	...	...	17	...	...
Ditto ditto „ 8.			3	...	...	3	3	7	...	...	7	...	...
Ditto IV of 1873 „ 2.			...	...	...	...	580	1,489	27	717	718	4	23

STATEMENT No. 3.

STATEMENT OF MISCELLANEOUS PROCEEDINGS UNDER THE CRIMINAL PROCEDURE CODE IN THE PUNJAB DURING THE YEAR 1881.

1	2	3	4	5	6	7	8
Nature of proceedings.	For disposal		Disposed of			Remaining under trial	
				Persons			
	Cases.	Persons.	Cases.	Discharged.	Convicted.	Cases.	Persons.
1. Frivolous or vexatious complaints summarily dealt with under Chapter XVI, Section 209	639	701	639	1	700	...	...
2. Proceedings against witnesses under Chapter XXVI ...	1	1	1	...	1	...	...
3. Forfeiture of bail or recognizance under Chapter XXVIII ...	185	263	160	61	177	25	25
4. Non-attendance of jurors or assessors Chapter XXIX, Section 414	1	2	1	2	...	...	...
5. Contempts of Court under Chapter XXXII	241	278	240	15	262	1	1
6. Proceedings under Chapter XXXVII to prevent breach of the peace	2,706	11,489	2,681	3,866	7,514	25	109
7. Proceedings under Chapter XXXVIII, Security for good behaviour	5,244	7,755	5,199	1,292	6,388	45	75
8. Proceedings against local nuisance, Chapter XXXIX ...	93	201	91	126	73	2	2
9. Possession, Chapter XL	111	291	109	198	90	2	3
10. Maintenance, Chapter XLI	3,142	3,142	3,074	2,588	486	68	68
TOTAL ...	12,363	24,123	12,195	8,149	15,691	168	283

STATEMENT No. 4.

STATEMENT SHOWING THE GENERAL RESULT OF CRIMINAL TRIALS IN THE TRIBUNALS OF VARIOUS CLASSES IN THE PUNJAB DURING THE YEAR 1880.

STATEMENT

STATEMENT SHOWING THE GENERAL RESULT OF CRIMINAL TRIALS DURING THE

1	2	3	4	5	6	7	8	9	10
CLASS OF TRIBUNAL.	NUMBER OF PERSONS FOR DISPOSAL.								
	Remaining at the end of the previous year.	BROUGHT TO TRIAL DURING THE YEAR.						TOTAL.	Died, escaped, or transferred, or trial postponed in consequence of insanity.
		Under arrest by Police.	Upon Warrant.	On Summons.	Voluntarily.	Received on commitment or reference.	Received by transfer.		
I.—MAGISTRATES.									
Special Magistrates	35	3,898	342	4,038	338	...	...	9,251	6
Honorary Magistrates ... ... 2nd and 3rd class...	57	1,993	437	5,054	218	...	...	7,759	5
Honorary Magistrates ... ... 1st class ,,	19	1,574	987	1,276	42	...	2	3,900	...
Benches of Magistrates	31	6,213	458	9,544	391	...	..	16,637	6
Stipendiary Magistrates other than Chief Magistrates of Districts ... ... 2nd and 3rd class...	1,070	21,975	3,621	42,335	2,527	...	5	71,533	42
Stipendiary Magistrates other than Chief Magistrates of Districts ... ... 1st class ...	1,214	22,909	5,802	22,926	1,960	36	23	61,870	124
District and Divisional Magistrates—Cases referred under Section 46, Criminal Procedure Code	2	...	2	...	...	315	...	319	3
Chief Magistrates of Districts { Under their ordinary powers ...	209	4,975	477	824	232	85	31	6 833	62
Chief Magistrates of Districts { Under their powers under Sec. 36, Criminal Procedure Code ...	51	1,233	81	8	5	1	2	1,381	6
TOTAL ...	2,688	71,770	12,207	86,605	5,713	437	63	179,483	254
II.—COURTS OF SESSION.									
Trials under Chapter XIX	104	...	...	...	...	894	...	998	7
References under Section 36, Criminal Procedure Code ,,	...	...	...	...	...	351	...	351	...
Ditto ditto 507, ditto ditto ,,	...	...	...	...	...	18	...	18	...
TOTAL ...	104	...	...	...	...	1,263	...	1,367	7
III.—CHIEF COURT.									
Original Trials	3	...	...	..	...	7	...	10	...
References under Section 287, Criminal Procedure Code ...	9	...	...	...	...	155	...	164	...
TOTAL ...	12	...	...	...	...	162	...	174	...
GRAND TOTAL ...	2,804	71,770	12,207	86,605	5,713	1,862	63	181,024	261

No. 4.

IN THE TRIBUNALS OF VARIOUS CLASSES IN THE PUNJAB YEAR 1881.

11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30
PERSONS DISPOSED OF.										NUMBER OF CASES DISPOSED OF.									
Discharged without trial.			Convicted.								Summons cases.		Warrant cases.						
			On regular trial.		On summary trial.														
In consequence of the non-appearance of the complainant or withdrawal of the complaint.	On other grounds.	Acquitted.	Appealable sentence passed.	Non-appealable sentence passed.	Appealable sentence passed.	Non-appealable sentence passed.	Committed or referred.	Total.	Persons remaining at the end of the year.	Enquiries under Chapter XV.	Tried regularly.	Tried summarily.	Tried regularly.	Tried summarily.	Total.	Total number of cases pending.	Number of cases pending over 3 months.	Average number of days during which each case lasted.	Number of witnesses examined.
584	643	903	1,964	1,411	78	3,603	31	9,223	28	15	2,232	2,259	603	339	5,448	23	1	6	5,141
3,332	856	922	2,459	19	...	...	29	7,622	137	...	2,546	...	860	...	3,406	53	...	7	6,413
587	350	1,009	522	1,389	...	...	30	3,881	19	6	1,163	...	637	...	1,866	14	...	10	3,737
8,487	1,919	2,583	4,816	17	3,643	127	4	16,602	35	..	4,290	2,331	1,230	667	8,518	16	...	5	14,879
23,416	9,358	7,981	29,021	257	...	17	343	70,435	1,098	463	20,079	18	9,364	...	29,924	486	1	7	70,249
10,446	13,936	5,351	13,616	13,866	179	2,483	794	60,795	1,075	666	14,191	1,251	13,586	651	30,345	559	11	10	106,755
1	8	34	215	51	...	1	...	313	6	...	3	...	201	...	204	4	..	5	120
331	1,662	633	1,255	2,079	98	567	69	6,756	77	71	878	215	2,139	256	3,559	50	1	9	9,366
4	175	170	636	28	...	...	329	1,348	33	...	...	...	674	...	674	20	1	17	6,486
42,188	28,907	19,580	54,504	19,117	3,998	6,798	1,629	176,975	2,508	1,221	45,382	6,074	29,294	1,913	83,884	1,225	15	8	223,146
...	...	296	388	23	...	...	136	850	148	...	...	...	423	...	423	59	12	58	5,807
...	...	11	331	2	...	...	...	344	7	...	...	...	270	...	270	6	...	13	...
...	...	...	...	18	...	...	...	18	...	...	...	...	14	...	14	...	...	20	...
...	...	307	719	43	...	...	136	1,212	155	...	...	...	707	...	707	65	12	...	5,807
...	...	6	...	4	...	...	...	10	...	...	...	...	9	...	9	...	...	44	95
...	...	18	...	115	...	...	...	133	31	...	...	...	99	...	99	15	...	35	...
...	...	24	...	119	...	...	...	143	31	...	...	...	108	...	108	15	...	...	95
42,188	28,907	19,911	55,223	19,279	3,998	6,798	1,765	178,330	2,694	1,221	45,382	6,074	30,109	1,913	84,699	1,305	27	9	229,048

STATEMENT SHOWING THE PUNISHMENTS INFLICTED BY THE VARIOUS

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
	PERSONS SENTENCED TO												PERSONS ORDERED TO FIND OR GIVE			
		TRANSPORTATION			IMPRISONMENT				WHIPPING		FINE					
CLASS OF TRIBUNAL.	Death.	For life.	For a term.	Penal servitude.	With solitary confinement.	Without solitary confinement.	Simple.	Forfeiture of property.	In addition to other punishment.	In lieu of other punishment.	With imprisonment.	Without imprisonment.	Sureties of the peace.	Recognizance to keep the peace.	Sureties for good behaviour.	Persons imprisoned in default of furnishing security for good behaviour.
					Rigorous											
I.—MAGISTRATES.																
Special Magistrates	...	...	...	..	303	194	97	...	9	257	234	6,177	1	2	12	6
Honorary Magistrates { 2nd and 3rd class	...	...	...	...	167	13	13	...	1	40	219	2,125	...	...	...	...
Honorary Magistrates { 1st class ...	...	...	...	...	197	107	18	...	9	11	154	1,406	39	6	116	37
Benches of Magistrates	...	..	...	...	139	267	23	...	6	52	211	7,847	...	...	281	...
Stipendiary Magistrates other than Chief Magistrates of Districts. { 2nd and 3rd class	..	...	...	...	2,376	2,522	251	...	78	875	3,812	23,270	...	...	...	...
Stipendiary Magistrates other than Chief Magistrates of Districts. { 1st class ...	...	...	...	...	5,550	1,921	317	...	277	1,192	5,622	8,996	4,693	2,373	4,487	812
District and Divisional Magistrates.—Cases referred under Section 46, Criminal Procedure Code ...	...	...	...	...	185	24	2	...	22	87	129	18	...	...	1	1
Chief Magistrates of Districts under their ordinary powers ...	...	...	...	...	450	234	24	...	33	174	963	1,419	103	52	1,491	169
Chief Magistrates of Districts, under their powers under Section 36, Criminal Procedure Code. ...	...	...	...	...	533	83	13	...	32	28	366	7	...	...	...	...
TOTAL ...	...	...	...	...	9,894	5,485	758	...	467	2,666	11,110	51,265	4,836	2,433	6,388	1,025
II. COURTS OF SESSION ...	...	118	31	...	446	119	7	23	29	2	251	21	...	...	18	...
III. CHIEF COURT. { Original trials	...	...	...	2	...	2	...	...	...	...	...	...	...	...	...	...
III. CHIEF COURT. { References. under Sec. 287, Cr. P. C.	81	31	...	...	...	5	...	...	...	...	4	...	...	...	...	...
GRAND TOTAL ...	81	149	31	1	10,340	5,611	765	23	496	2,668	11,365	51,286	4,836	2,433	6,406	1,025

No. 5.

CRIMINAL TRIBUNALS IN THE PUNJAB DURING THE YEAR 1881.

18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39

DETAIL OF PUNISHMENTS.

FINE										IMPRISONMENT								WHIPPING.			
										15 days and under		*6 months and under*		*2 years and under*		*Above 2 years*					
Rs. 10 and under.	Rs. 50 and under.	Rs. 100 and under.	Rs. 500 and under.	Rs. 1,000 and under.	Above Rs. 1,000.	Total amount of fines imposed.	Total amount realized.	Amount ordered by way of compensation.	Amount paid by way of compensation.	Rigorous.	Simple.	Rigorous.	Simple.	Rigorous.	Simple.	Rigorous.	Simple.	Ten stripes and under.	Twenty stripes and under.	Thirty stripes and under.	Punished otherwise.
5,894	477	27	13	...	...	28,272	21,596	2,440	1,595	151	64	245	31	101	2	...	...	38	134	94	...
1,935	391	16	2	...	...	15,231	13,684	2,234	1,245	30	6	269	7	1	...	...	...	15	22	4	...
1,328	195	26	11	...	...	11,311	10,134	2,416	2,001	8	10	74	8	222	...	...	...	...	10	10	...
7,832	216	7	3	...	...	14,605	12,762	711	376	78	15	313	8	9	...	...	...	19	37	2	...
23,360	3,523	155	44	...	...	1,64,387	1,45,055	14,101	8,505	727	104	4,141	146	31	...	...	...	328	470	155	...
8,204	5,561	640	204	8	1	2,76,598	1,92,422	35,690	14,524	223	97	3,103	199	4,140	22	4	...	268	698	505	...
42	97	8	1	...	...	4,145	1,419	134	99	2	...	37	1	169	...	1	...	5	10	44	...
713	616	249	188	12	3	97,855	81,177	35,583	24,418	23	13	258	8	397	...	6	...	'24	62	121	22
50	237	37	29	19	1	44,953	10,286	5,863	920	2	9	64	7	188	1	362	...	2	19	39	...
49,358	11,313	1,165	495	39	5	6,57,357	4,88,535	99,172	53,683	1,244	318	8,504	415	5,258	25	373	...	699	1,460	974	22
19	164	59	28	1	1	22,648	9,458	2,110	833	2	3	27	2	83	2	453	...	...	5	26	...
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	2	...	...	...	...	...
...	3	...	1	...	...	250	...	...	...	...	...	1	...	...	...	4	...	...	...	...	...
49,377	11,480	1,224	524	40	6	6,80,355	4,97,999	1,01,282	54,516	1,246	321	8,532	417	5,341	27	832	...	699	1,465	1,000	22

STATEMENT No. 6.

STATEMENT SHOWING THE RESULT OF APPEAL AND REVISION IN CRIMINAL CASES IN THE PUNJAB IN THE YEAR 1881.

1	2	3	4	5	6	7	8	9	10	11	12	13	14
	Number of Persons.												
Class of Tribunal.	Total number of appellants and applicants for revision before the Courts.	Died, escaped, or transferred.	Appeals or applications rejected.	Sentence or order confirmed.	Sentence enhanced.	Sentence reduced or otherwise altered.	Sentence reversed.	Proceedings quashed.	New trial or further enquiry ordered.	Referred for revision to the Chief Court.	Pending trial.	Average number of days during which each appeal lasted.	Remarks.
APPEALS.													
To—													
District Magistrates	4,348	1	955	1,372	116	590	1,160	4	5	...	145	11	
Courts of Session	3,671	5	1,351	1,218	74	284	620	8	31	...	80	18	
Chief Court — By persons convicted ...	957	...	319	236	6	163	100	...	2	...	131	49	
Chief Court — By Government from judgments of acquittal	1	...	...	...	...	...	...	...	1	...	...	34	
Total	8,977	6	2,625	2,826	196	1,037	1,880	12	39	...	356	19	
REVISION.													
By—													
Magistrates of Districts	409	...	300	...	...	...	...	...	43	60	6	...	
Courts of Session	317	...	237	...	...	...	...	...	9	64	7	...	
Chief Court	1,867	...	903	273	22	91	353	...	8	...	217	...	
Total	2,593	...	1,440	273	22	91	353	...	60	124	230	...	
Grand Total ...	11,570	6	4,065	3,099	218	1,128	2,233	12	99	124	586	...	

STATEMENT 7.

STATEMENT SHOWING USE OF JURIES AND ASSESSORS IN THE CRIMINAL COURTS IN THE PUNJAB IN THE YEAR 1881.

1	2	3	4	5	6	7	8	9	10	11	12	13	14
	JURY TRIALS.								ASSESSORS' TRIALS.				
Classes of Courts.	Established or average number of Jury or Assessors in each case.	Number of cases tried by Jury.	Number of cases tried with Assessors.	Cases in which the Judge approved of the verdict.	*Cases in which the Judge did not approve of the verdict*		*Number of persons of the verdict in respect to whom the Judge disapproved*		Number of cases in which the Judge agreed with Assessors.	*Number of cases in which the Judge differed from*			Classes of cases in which Jurors and Assessors have been principally employed.
					Wholly.	Partially.	Whose cases he referred under Sec. 263, Cr. P. Code.	Whose cases he did not refer under Sec. 263, Cr. P. C.		One assessor.	Two assessors.	Three assessors.	
Magistrates' Courts under Chapter XXXIX, Criminal Procedure Code—Jurors ...	...	...	...	...	...	...	...	...	...	...	...	...	
Courts of Session—Assessors	3	...	404	...	...	...	...	...	333	14	9	48	Sessions trials.
Chief Court, Original criminal jurisdiction—Jurors	9	8	...	8	...	...	...	...	...	...	...	...	Original criminal trials
Total ...	...	8	404	8	...	...	...	...	333	14	9	48	

Proceedings of the Hon'ble the Lieutenant-Governor of the Punjab in the Home (Judicial) Department,—No. 630, dated 15th July 1882.

READ—

Report on the Administration of Criminal Justice in the Punjab for 1881, received in print on the 12th June 1881.

REMARKS.—The revised judicial statements prescribed by the Resolution of the Government of India in the Home Department, No. 3—91-102, dated the 27th of January 1880, have, in accordance with the instructions contained in that Resolution, been appended to the Report for the year 1881. The introduction of these returns has caused some delay in the submission of the Report.

2. After eliminating for both years those cases which partook of a miscellaneous character and can scarcely be regarded as crimes, a comparison of the figures of the year under review with those of the previous year shows a decrease of 1·8 per cent. of offences under the Indian Penal Code; a slight increase of offences under Special and Local laws; and in regard to crime generally a decrease of 1·2 per cent. This decrease following upon a considerable diminution in non-bailable offences noticed last year affords ground for satisfaction; for, although the years 1878-79 were exceptional, affording peculiar temptations for the commission of offences against property, the returns of the present year contrast favorably with those of the year 1877 when the returns of crime stood at a much lower figure.

3. The Mooltan riots caused an increase in the number of offences against the public tranquility, and disregard of the orders promulgated after the subsidence of the outbreak led to a number of prosecutions under Section 188, Indian Penal Code.

4. The sensible decrease in the number of murders which occurred in the Peshawar Division is marked with satisfaction by the Hon'ble the Lieutenant-Governor. In all three districts of this Division the number of murders was considerably less than the average of the past four years; on the other hand, there was an increase in the number of murders which took place in the Rawalpindi Division; and in the Derajat Division, although these were fewer than during the two previous years, the number exceeded the average of the past four years. On the whole, however, offences against the person were considerably more numerous than last year.

5. On the other hand, offences against property decreased in almost every district and under almost every heading. Cases of robbery and dacoity were still numerous in the Peshawar Division, and there were not a few cases in Gurgaon, Rohtak, Lahore and Montgomery. At the same time, there was a marked decrease as compared with the year 1880 both in the Hissar and Gurgaon districts, as well as in Gurdaspur, Rawalpindi, and Dera Ismail Khan.

6. Under the heading of Local and Special laws the Lieutenant-Governor observes a considerable number of prosecutions under the Arms Act in the Hoshiarpur district, where the number rose from 3 to 71, and His Honor would be glad to receive some explanation of this increase which, it appears, has not been noticed in the local reports. Prosecutions for breach of contract by workmen under Act XIII of 1859 appear to be often undertaken vexatiously. In the Karnal and Sirsa districts the prosecution was in every case abandoned; and out of 489 cases in the Umballa district only one conviction was obtained,—a result the more remarkable because the Umballa district is brought to notice as one in which the provisions of Section 147 of the Criminal Procedure Code are most freely used. Out of a total of 1,901 persons who were tried under the Act above quoted, only 64 were convicted. The Lieutenant-Governor thinks that Commissioners of Divisions should be required to scrutinize these cases and submit a special report upon the working of the Act.

The operation of any Act which contains unusual provisions for punishing as offences breaches of civil contract requires to be very carefully watched, and the circumstances above noted are sufficiently singular to demand early and full inquiry.

7. The Lieutenant-Governor is pleased to notice the decrease in cases relating to the breach of Forest Rules, especially as this decrease is attributed, not as in former years to any laxity on the part of District Officers in guarding the interests of Government, but to improved seasons and greater appreciation by the people of the necessity of conforming to the law.

8. The remarks of the Judges in regard to the evasions of the Stamp Law deserve prominence. The administration of the Stamp Law has been for many years marked by great variations in the different districts of the Province. The provisions of the law, however, are now sufficiently well known for more rigid compliance being demanded from the people of the Province generally.

9. The Lieutenant-Governor regrets to observe that the provisions of Section 209 of the Criminal Procedure Code have either been entirely lost sight of, or insufficiently borne in mind by the Courts of the Province; and that the Judges should have to complain that their repeated remarks on this subject have not received attention. If there be no improvement in this respect next year, the Lieutenant-Governor requests that the Judges will be so good as to report specially the particular Courts and the names of the officers who may have most conspicuously erred.

10. The Lieutenant-Governor concurs with the Judges in considering the increase in the number of cases of contempt of Court to be matter for regret. It can rarely be necessary either for the protection of the dignity of the Court, or for the despatch of business, for an officer presiding over a Civil or Criminal Court to have resort to this provision of the law; and any tendency on the part of individual officers to take undue advantage of this prerogative should be checked.

11. The working of the preventive jurisdiction provided in Chapters XXXVII and XXXVIII of the Procedure Code was noticed in the review of last year's report. The Lieutenant-Governor is glad to observe that the Chief Court continues to exercise vigilant supervision over the action of the Magistrates under Chapter XXXVIII. The Lieutenant-Governor believes the provisions of that Chapter, which are continued under the revised Code, to be very necessary in the Punjab, and so long as the close supervision now exercised by the Chief Court is maintained, there is not much risk of the wide powers conferred by the law being seriously abused. The decrease in the percentages of persons imprisoned in default of furnishing security and in the percentage of long detentions is a satisfactory feature in the working of these provisions of the Code.

12. In regard to the distribution of Criminal business, there are two points which appear to call for some notice. The first of these is the tendency on the part of some District Officers to divest themselves of their functions as Chief Magistrate of the District and make over a portion of the Criminal appeals to the Judicial Assistants for hearing. Sir Charles Aitchison is fully aware of the onerous duties which fall upon Deputy Commissioners, and of the difficulty of their maintaining efficient general supervision over the many Departments committed to their charge, when a large proportion of judicial work is undertaken by them; but, considering that few, if any, of the Civil appeals are ordinarily undertaken by Deputy Commissioners, and that a great opportunity of getting an insight into the state of crime in the district is lost by the delegation of the Criminal work to subordinates, it is most desirable

that the Deputy Commissioner should, as a rule, hear the Criminal appeals, and the Lieutenant-Governor is glad to observe that this view has been impressed upon District Officers by the Judges.

13. The second matter is the amount of Criminal work performed by Tahsildars. In regard to this subject Sir Charles Aitchison agrees with the view expressed by the Judges in the 73rd paragraph of the Report, namely, that while on many grounds it is undesirable that any considerable share of the more important and difficult cases should be taken by Tahsildars, it is expedient that petty Criminal cases should, as far as possible, be disposed of locally in order to save the inconvenience of long journeys to the parties concerned. The Lieutenant-Governor desires to acknowledge the steps taken by the Judges for ascertaining that Tahsildars are not unduly burdened with Criminal work. His Honor observes that in some districts, and particularly in Lahore, Ferozepore, Jhelum and Hazara, too many warrant cases were decided by the Tahsildars, and that this has been pointed out to the local officers. So long as due regard is paid to the fact that a Tahsildar's time should not be so occupied in the disposal of judicial work as to prevent his performing his revenue duties, the Lieutenant-Governor would not be disposed to question the desirability of allowing him to hold court, especially when it is for the convenience of the people that he should do so. But it is undesirable that Tahsildars should be permitted to dispose of serious Criminal cases for which their powers of awarding punishment are inadequate; and that, not only for the reason pointed out by the Judges in paragraph 62 of the Report, but also because, as pointed out in paragraph 119, the result is that appeals are preferred in unusually large numbers from the decisions of the Tahsildars in such cases, and the Appellate Court has to exercise functions which would more appropriately have been exercised by the Court of the First Instance.

14. The Lieutenant-Governor desires again to acknowledge publicly the services of the Honorary Magistrates and Members of City Boards (especially those of Lahore and Mananwala) by whom nearly 11,000 cases were disposed of during the year under report. The collapse of the Ferozepore Board of Magistrates is not explained in the Report: *primâ facie* the Deputy Commissioner showed remissness in not making arrangements for the continuance of their sittings, and the Lieutenant-Governor would be glad to be favored with the opinion of the Judges on the report which has been called for on the subject.

15. On the special jurisdiction of Magistrates few remarks are needed. The Lieutenant-Governor notices that the Sessions Judge of Peshawar entertains a somewhat unfavorable opinion of the working of the system of trial by the Council of Elders in the Peshawar district. The opinion held by Colonel Johnstone is opposed to that which has generally been expressed by frontier officers, and the Lieutenant-Governor sees no reason to doubt that the provisions of the Frontier Regulations for 1873 are useful wherever decision by jirga is in accordance with the feelings and customs of the people; but any attempt to strain the provisions of the law and apply what is intended only for a backward state of society to tracts sufficiently advanced for the application of the ordinary methods of administration, will meet with no encouragement at his hands, and in this view, I am to request that the Judges will consider more fully the suggestion conveyed in paragraph 86 of the Report for withdrawing the Cis-Indus portion of the Bannu district from the scope of the Regulation.

16. The Deputy Commissioner of Kohat, Mr. Tucker, has done well to draw attention to the severity of the fines realized by means of the jirgas in that district. The average incidence per head of fines thus imposed is shown, in paragraph 114 of the Report, to amount to Rs. 44, as compared with an average of Rs. 10 in District Courts over the whole Province. The calculation made by Mr. Tucker shows conclusively that there has been a tendency

both in the District Courts and in the Councils of Elders in Kohat to enforce penalties beyond the means of the people to pay. A proportion of 19 per cent. on the revenue of the district, as compared with 2 per cent. in the rest of the Province, shows that proper discretion has not been exercised in apportioning these penalties.

17. The Lieutenant-Governor notices that the Commissioner of the Derajat Division has been much in arrears with his judicial work, and His Honor is aware of its onerous nature. If the Judges consider that any further assistance is needed beyond the transfer of some of his appeals to the Civil and Sessions Judge of Peshawar, which has already been sanctioned, His Honor will be prepared to consider a further recommendation.

18. Too great stress cannot be laid upon the importance of releasing witnesses in criminal cases with the least possible delay. The long detentions in some districts, notably in the Court of the Deputy Commissioner of Hoshiarpur, the duration of whose pending file at the close of the year is noted as having been the heaviest in the Province, admits of no justification in view of the hardship inflicted upon the witnesses themselves.

19. The subject of whipping has recently been under discussion. The Judges remark that many Magistrates never inflict the punishment of whipping, and that the views of Magistrates who do award the punishments differ so widely as to the cases in which it is a suitable punishment, that no very distinct reason can be assigned for fluctuations under this head. If this be the case, it appears to the Lieutenant-Governor that there is need for more explicit instructions regarding the principles which should guide the Courts in inflicting the punishment of whipping.

The Lieutenant-Governor believes that for some cases it is an eminently suitable method of punishment; but in order to justify its retention as one of the authorized penalties, it is incumbent upon the judicial administration to eliminate the great inequalities which are now said to exist in its application.

The large increase in the work of the Chief Court has recently been engaging the attention of His Honor the Lieutenant-Governor. Some measures of relief are without doubt needed and must be applied without delay. Sir Charles Aitchison will not enter upon the subject in this review, but he desires to assure the Judges that measures have already been taken for acquainting the Supreme Government with the state of the case, and the imperative necessity of a remedy is fully recognized.

20. In conclusion, the Lieutenant-Governor desires to acknowledge the efficient supervision which the Judges, notwithstanding their heavy duties, have maintained over the Courts subordinate to them in the Province during the year under review.

ORDER.—Ordered, that a copy of the foregoing be forwarded to the Registrar of the Chief Court for the information of the Judges, and for annexure to, and circulation with, the Report.

Ordered also, that the review be printed and published in the *Punjab Government Gazette*.

By order of the Hon'ble the Lieutenant-Governor,

W. M. YOUNG,

Secretary to Government, Punjab.

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